

CALIFORNIA STATUTES

TABLE OF CONTENTS

BUSINESS AND PROFESSIONS CODE	1
DIVISION 2 HEALING ARTS	1
CHAPTER 1 GENERAL PROVISIONS	1
ARTICLE 7.5 HEALTH CARE PRACTITIONERS	1
§ 680. Name tags for health care practitioners; display	
ARTICLE 11 PROFESSIONAL REPORTING	1
§ 800. Central files; creation; contents; complaint forms; confidentiality	
§ 801. Settlement or arbitration award; report by insurer; consent of insured	
§ 801.1. Settlement or arbitration award; reports by self-insuring governmental agencies	
§ 802. Settlement or arbitration award; report by holder of authority, parties or counsel; public offense, fines	
§ 802.1. Felony indictment or information; felony or certain misdemeanor convictions; report to medical board by physician or surgeon	
§ 802.3. Settlement reports; specification of specialty or subspecialty of physician and surgeon	
§ 802.5. Receipt of information by coroner based on findings by board-certified or board-eligible pathologist of death due to gross negligence or incompetence of physician or podiatrist; initial report; subsequent submission of other information; confidentiality; immunity from liability	
§ 803. Judgment against holder of license, certificate or other authority; reports to issuing agency and medical board; release of information to public	
§ 803.1. Medical, osteopathic, and podiatry boards; disclosure of information to public	
§ 803.2. Entry of judgment, settlement agreement or arbitration award against licensee; payment by employer; report to board	
§ 803.3. Health care service plan contracts; arbitration awards; consideration as judgment for disclosure purposes	
§ 803.5. Notification of filing against licensee	
§ 803.6. Transmittal of felony preliminary hearing transcript or probation report to board	
§ 804. Reports to agency; form and contents; copies	
§ 804.5. Board requests for medical records and depositions	
§ 805. Definitions; specified actions requiring report to relevant agency; timeliness and contents; confidentiality; liability; fine for failure to make or transmit report	
§ 805.1. Documents from disciplinary proceeding resulting in loss of staff or membership privileges; inspection and copying by licensing or certifying agency; disclosure	
§ 805.2. Peer review process; comprehensive study; legislative intent	
§ 805.5. Grant or renewal of staff privileges for certain medical professionals; inquiries concerning 805 reports; exclusions; misdemeanor	
§ 805.6. Electronic notification and access to Section 805 reports	
§ 805.7. Pilot program concerning quality problems and resolution through informal educational intervention; recommendations and report	
§ 806. Statistical report; presentation to legislature	
§ 807. Notice of provisions of article	
§ 808. Respiratory care practitioners; reports	
§ 808.5. Reports affecting psychologists; filing with Board of Psychology of the Department of Consumer Affairs	
§ 809. Legislative findings and declarations	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 809.05.	Peer review; limitations; investigation and disciplinary action; direction from governing body; failure to follow direction	
§ 809.1.	Final proposed action of peer review body; written notice; content	
§ 809.2.	Hearing concerning final proposed action by peer review body; procedures; voir dire; inspection of documents; decision; witnesses; continuances; commencement	
§ 809.3.	Rights of parties at hearing concerning final proposed action	
§ 809.4.	Rights of parties upon completion of hearing concerning final proposed action	
§ 809.5.	Immediate suspension or restriction of clinical privileges; imminent danger	
§ 809.6.	Additional notice and hearing requirements; waiver	
§ 809.7.	Application of sections 809.1 to 809.4 and this section	
§ 809.8.	Judicial review	
§ 809.9.	Challenge of action taken or restriction imposed; cost of litigation; prevailing party	
CHAPTER 5	MEDICINE	12
ARTICLE 12	ENFORCEMENT	12
§ 2225.5.	Refusal to comply with court order or request for medical records; civil penalties	
§ 2247.	Licensee physical, emotional and mental condition; requirements	
CHAPTER 6.6	PSYCHOLOGISTS	13
ARTICLE 1	GENERAL PROVISIONS	13
§ 2900.	Legislative finding and declarations	
§ 2901.	Short title	
§ 2902.	Definitions	
§ 2903.	Necessity of license; practice of psychology; psychotherapy	
§ 2903.1.	Biofeedback instruments	
§ 2904.	Practice of psychology; excluded acts	
§ 2904.5.	Licensed psychologist; status as health care practitioner	
§ 2905.	Practice of psychology	
§ 2907.	Corporate practice	
§ 2907.5.	Psychological corporation	
§ 2908.	Psychological activities; members of other professional groups	
§ 2909.	Psychological activities and use of official titles; salaried employees of organization	
§ 2910.	Psychological activities; salaried employees of academic institutions, public schools or governmental agencies	
§ 2911.	Graduate students; psychological intern; psychological trainee	
§ 2912.	Out of state practitioners	
§ 2913.	Psychological assistants	
§ 2914.	Qualification of applicants for licensure	
§ 2914.1.	Continuing education; geriatric pharmacology	
§ 2914.2.	Continuing education in psychopharmacology and biological basis of behavior	
§ 2914.3.	Doctorate degree program curriculum; psychopharmacology courses	
§ 2915.	Renewal licenses, relicensure, reinstatement to active license status; proof of continuing education; false statements; policy for exceptions; approved courses	
§ 2915.5.	Graduate study coursework in aging and long-term care; contact hours; program contents	
§ 2915.7.	Continuing education coursework in aging and long-term care; license renewal; minimum number of hours; programs contents	
§ 2916.	Partial invalidity	
§ 2918.	Confidential relations and communications; privilege; law governing	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 2	ADMINISTRATION	17
§ 2920.	Board of Psychology	
§ 2920.1.	Priority to protect the public	
§ 2921.	Tenure of members; limitation on number of terms	
§ 2922.	Appointment and qualifications of members	
§ 2923.	Qualifications of members	
§ 2924.	Removal from office; grounds	
§ 2925.	Election of officers	
§ 2926.	Meetings	
§ 2927.	Quorum	
§ 2927.5.	Notice of regular meetings; publication	
§ 2928.	Duties of board	
§ 2929.	Seal	
§ 2930.	Rules and regulations	
§ 2930.5.	Fictitious-name permits; issuance; revocation or suspension; delegation of authority	
§ 2931.	Examination of qualifications of applicants	
§ 2933.	Personnel; expenditures; contributions	
§ 2934.	Geographical directory of licensed psychologists	
§ 2935.	Compensation and expenses of board members	
§ 2936.	Consumer and professional education program; standards of ethical conduct; notice to consumers	
ARTICLE 3	LICENSE	19
§ 2940.	Application; form; manner; fee	
§ 2941.	Examination; time for payment of fee	
§ 2942.	Examination; method, time and place; passing grade; uniform system	
§ 2943.	Scope of examination	
§ 2944.	Grading examination; retention of papers; exception	
§ 2945.	Transcript or recording of oral examination	
§ 2946.	Licensees of other states; waiver of all or parts of examination	
§ 2947.	Commissioners on examination; occasional professional commissioners; appointment; duties	
§ 2948.	Issuance of license	
ARTICLE 4	DENIAL, SUSPENSION AND REVOCATION	20
§ 2960.	Grounds	
§ 2960.05.	Limitations period	
§ 2960.1.	Decision containing finding that licensee or registrant engaged in sexual contact with patient or former patient; order of revocation	
§ 2960.2.	Licensee physical, emotional and mental condition; requirements	
§ 2960.5.	Mental illness or chemical dependency; grounds	
§ 2960.6.	Disciplinary action by foreign state; disciplinary action by a healing arts board; grounds	
§ 2961.	Manner of discipline	
§ 2962.	Reinstatement; modification of penalty; petition; examination	
§ 2963.	Conviction; suspension, revocation or refusal to issue license; effect of probation	
§ 2964.	Reports of license revocations or restorations	
§ 2964.3.	Sex offender; eligibility	
§ 2964.5.	Additional training, examination, and fee following probation or license suspension	
§ 2964.6.	Probation terms; payment of monitoring costs	
§ 2965.	Conduct of proceedings	
§ 2966.	Felony conviction; incarceration; determination of suspension; hearing	
§ 2969.	Refusal to comply with request for medical records of patient; civil penalty; written authorization; court order	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 5	PENALTIES	23
§ 2970.	Violation; offense; punishment	
§ 2971.	Injunction or order restraining violations	
ARTICLE 7	REVENUE	23
§ 2980.	Psychology Fund; reports; deposits	
§ 2981.	Use of funds	
§ 2982.	Expiration of licenses; renewal	
§ 2983.	Initial license fee; waiver	
§ 2984.	Time for renewal; renewal and delinquency fees; licenses under prior law	
§ 2985.	Renewal of suspended license; reinstatement of revoked license; fee	
§ 2986.	Renewal time limitation; requirements for new license; examination fee waiver or refund	
§ 2987.	Fee schedule	
§ 2987.2.	Additional fees	
§ 2987.3.	Fictitious-name permits; initial, renewal, and delinquency fees	
§ 2987.5.	Renewal fee; exemption from payment	
§ 2988.	Inactive status; application; fee; continuing education; placement on active status	
§ 2989.	Fixing fees by regulation	
ARTICLE 9	PSYCHOLOGICAL CORPORATIONS	25
§ 2995.	Corporate status; conditions; regulatory agency	
§ 2996.	Unprofessional conduct; violations	
§ 2996.1.	Unprofessional conduct; conduct of practice	
§ 2996.2.	Income; disqualified shareholder	
§ 2997.	Shareholders, directors and officers; license requirements	
§ 2998.	Name	
§ 2999.	Regulations	
CHAPTER 9	PHARMACY	25
ARTICLE 7	PHARMACIES	25
§ 4115.	Pharmacy technicians; nondiscretionary tasks; direct supervision of pharmacists; registration; ratios	
CHAPTER 10	PSYCHIATRIC TECHNICIANS	26
ARTICLE 1	GENERALLY	26
§ 4500.	Citation of chapter	
§ 4501.	Board defined	
§ 4501.1.	Priority to protect the public	
§ 4502.	Psychiatric technician defined	
§ 4502.1.	Psychiatric technicians; administration of medications by hypodermic injection	
§ 4502.2.	Psychiatric technicians; withdrawal of patient's blood; certification	
§ 4502.3.	Psychiatric technicians; performance of medical procedures; demonstration of competence	
§ 4503.	Administration by board	
§ 4504.	Rules and regulations	
§ 4505.	Employment of personnel	
§ 4507.	Nonapplicability of chapter	
§ 4508.	Services by tenets of church or denomination	
§ 4509.5.	Persons performing services of psychiatric technician for purposes of training	
ARTICLE 2	LICENSURE	27
§ 4510.	Issuance of license	
§ 4510.1.	Application; interim permits	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4511.	Qualifications	
§ 4511.2.	Schools; evaluation of and credit for prior experience and training; additional courses	
§ 4512.	Payment of fee	
§ 4513.	Examinations	
§ 4515.	Issuance of license without examination to out-of-state license or certificate holders; requirements	
§ 4516.	Use of letters "P.T."	
§ 4517.	Continuing education program; authority to provide; course hours	
§ 4518.	Continuing education program; fees	
§ 4519.	Continuing education courses; release from duty to attend; expenditure of state funds; memorandum of understanding	
ARTICLE 3	DISCIPLINARY PROCEEDINGS	28
§ 4520.	Conduct of proceedings	
§ 4521.	Grounds for suspension or revocation	
§ 4521.1.	License issued on probation	
§ 4521.2.	Report of § 4521 violation by others; obligation; failure to report; administrative fine	
§ 4521.6.	Denial of application; suspension or revocation of license or permit; grounds	
§ 4523.	Conviction defined; authority to suspend, revoke or refuse certificate	
§ 4524.	Petition for reinstatement or modification of penalty	
ARTICLE 4	SCHOOLS FOR PREPARATION OF PSYCHIATRIC TECHNICIANS	30
§ 4530.	List of accredited schools	
§ 4531.	Course of instruction; hours or semester units; subjects; clinical inpatient experience	
§ 4532.	Inspection; reports; notice of defects	
ARTICLE 5	PENAL PROVISIONS	31
§ 4540.	Necessity of license	
§ 4541.	Unlawful use of title or letters	
§ 4542.	Misrepresentation or impersonation	
§ 4543.	Violation; misdemeanor; punishment	
ARTICLE 6	REVENUE	31
§ 4544.	Licenses; expiration; renewal	
§ 4544.5.	Biennial renewal period	
§ 4545.	Renewal after expiration of license; forfeited certificates; expiration	
§ 4545.1.	Expiration of suspended license; renewal	
§ 4545.2.	Expiration of revoked certificate or license; renewal; reinstatement	
§ 4545.3.	Failure to renew certificate or license within four years; issuance of new license; conditions	
§ 4546.	Monthly revenue report; deposit of funds; reserve balances	
§ 4547.	Payment of expenses	
§ 4548.	Amount of fees	
CHAPTER 13	MARRIAGE AND FAMILY THERAPISTS	32
ARTICLE 1	REGULATION	32
§ 4980.	Necessity of license	
§ 4980.01.	Construction with other laws; exemption of certain professionals and employees; status as health care practitioner	
§ 4980.02.	Practice of marriage and family therapy; application of principles and methods	
§ 4980.03.	Definitions	
§ 4980.07.	Administration of chapter	
§ 4980.08.	Licensed marriage and family therapist; marriage and family therapist; name change; construction of section	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4980.10.	Engaging in practice	
§ 4980.30.	Application for license; payment of fee	
§ 4980.31.	Display of license in primary place of practice	
§ 4980.34.	Legislative intent	
§ 4980.35.	Obligation to provide complete and accurate application; duties of board	
§ 4980.37.	Degree program; course of study and professional training	
§ 4980.38.	Notification to students of design of degree program; certification of fulfillment of requirements	
§ 4980.39.	Graduate study coursework in aging and long-term care; program contents; minimum contact hours	
§ 4980.395.	Continuing education coursework in aging and long-term care; program contents; minimum number of hours	
§ 4980.40.	Qualifications	
§ 4980.41.	Eligibility to sit for licensing examinations; coursework or training	
§ 4980.42.	Trainees' services	
§ 4980.43.	Professional experience; supervision; credit; registration; remuneration; place of service; counseling or psychotherapy	
§ 4980.44.	Unlicensed interns; qualifications; notice to clients or patients; registration status	
§ 4980.45.	Supervision, employment or termination of interns; ratio of interns to employees or shareholders of marriage and family therapy corporations	
§ 4980.46.	Fictitious business names	
§ 4980.48.	Trainees; notice to clients and patients of unlicensed status	
§ 4980.50.	Examination; issuance or denial of license	
§ 4980.54.	Continuing education requirements; hours; records; approved providers; subject matter; fees	
§ 4980.55.	Statements of experience, education, specialties, etc.	
§ 4980.57.	Licensees who began graduate study before January 1, 2004; required continuing education course	
§ 4980.60.	Rules and regulations	
§ 4980.70.	Additional personnel	
§ 4980.80.	Reciprocity; equivalent requirements; payment of fees; further conditions	
§ 4980.90.	Persons with education and experience gained outside California; requirements	
§ 4981.	Application of article	
ARTICLE 2	DENIAL, SUSPENSION AND REVOCATION	41
§ 4982.	Unprofessional conduct	
§ 4982.05.	Limitations period	
§ 4982.1.	Mental illness or chemical dependency; grounds for refusal to license or register	
§ 4982.15.	Placing of license or registration on probation; circumstances	
§ 4982.2.	Petition for reinstatement or modification of penalty; notice; content; hearing	
§ 4982.25.	Denial of application or suspension or revocation of license or registration; grounds	
§ 4982.26.	Decision containing finding that licensee or registrant engaged in sexual contact with patient or former patient; order of revocation	
§ 4982.3.	Procedure	
ARTICLE 3	PENALTIES	44
§ 4983.	Violation; misdemeanor; punishment	
§ 4983.1.	Injunction	
ARTICLE 4	REVENUE	44
§ 4984.	Expiration of licenses; renewal of unexpired licenses	
§ 4984.1.	Renewal of expired licenses	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4984.2.	Renewal of suspended license; effect of renewal	
§ 4984.3.	Revoked license; reinstatement after expiration	
§ 4984.4.	Time limit for renewal after expiration; new license	
§ 4984.5.	Report and payment of revenue	
§ 4984.6.	Use of Behavioral Sciences Fund; record-keeping; surpluses	
§ 4984.7.	Fee schedule	
§ 4984.75.	Additional fees	
§ 4984.8.	Inactive licenses	
§ 4984.9.	Written notice of name change; licensees or registrants	
ARTICLE 5	LICENSED EDUCATIONAL PSYCHOLOGISTS	45
§ 4986.	Practice by licensees	
§ 4986.10.	Professional functions authorized	
§ 4986.20.	Qualifications for license	
§ 4986.21.	Eligibility to take examination; destruction of examination materials	
§ 4986.30.	Continuing education program	
§ 4986.40.	Issuance of license	
§ 4986.41.	Display of license	
§ 4986.42.	Expiration of licenses; renewal	
§ 4986.43.	Renewal of expired licenses; fees	
§ 4986.44.	Suspended licenses; expiration and renewal	
§ 4986.45.	Revoked licenses; expiration	
§ 4986.46.	Failure to renew license; application for new license	
§ 4986.47.	Written notice of name change	
§ 4986.50.	Use of title by persons not licensed; prohibition	
§ 4986.70.	Refusal to issue, or suspension or revocation of license; unprofessional conduct	
§ 4986.71.	Decision containing finding that licensee engaged in sexual contact with patient or former patient; order of revocation	
§ 4986.75.	Mental illness or chemical dependency; grounds for refusal to license	
§ 4986.80.	Fee schedule	
§ 4986.81.	Violations; misdemeanor	
§ 4986.82.	Inactive licenses	
§ 4986.90.	Injunction	
§ 4987.	Rules of professional conduct	
ARTICLE 6	MARRIAGE AND FAMILY THERAPY CORPORATIONS	47
§ 4987.5.	Definition	
§ 4987.6.	Unprofessional conduct	
§ 4987.7.	Name	
§ 4987.8.	Directors, shareholders, and officers; necessity of license	
§ 4988.	Income for professional services not to accrue to disqualified shareholders	
§ 4988.1.	Scope of practice	
§ 4988.2.	Rules and regulations	
ARTICLE 7	REVIEW	48
§ 4989.	Powers and duties of board; date of review	
CHAPTER 14	SOCIAL WORKERS	48
ARTICLE 4	CLINICAL SOCIAL WORKERS	48
§ 4996.	Necessity of license; unauthorized representation as licensee; misdemeanor; status as health care practitioner	
§ 4996.1.	Issuance of license	
§ 4996.2.	Qualifications for license	
§ 4996.3.	Application and examination fees; deposit	
§ 4996.4.	Fee for reexamination	
§ 4996.5.	Scope, form and content of license	
§ 4996.6.	Fees; renewal; delinquency; replacement registration, license, or certificate; certificate or letter of good standing	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4996.65.	Additional fees	
§ 4996.7.	Display of license	
§ 4996.8.	Display of current renewal receipt	
§ 4996.9.	Clinical social work and psychotherapy defined	
§ 4996.10.	Application of article only to clinical social workers	
§ 4996.11.	Suspension or revocation of license; grounds; conduct of proceedings	
§ 4996.12.	Violations; penalties	
§ 4996.13.	Other professional groups; work of psychosocial nature; impermissible representations	
§ 4996.14.	Employees of certain organizations; activities of psychosocial nature or use of official title of position	
§ 4996.15.	Performance of psychosocial work by persons in academic institutions, government agencies or nonprofit organizations; social work intern	
§ 4996.16.	Persons from out of state; application of chapter	
§ 4996.17.	Experience gained outside California; use towards licensing requirements	
§ 4996.18.	Associate clinical social worker; registration; application; expiration and renewal; employment; notification of employment or termination; supervision; credit	
§ 4996.19.	Licensed clinical social workers' corporation; application of article	
§ 4996.20.	Supervised post-master's experience; criteria for registrants prior to December 31, 1998	
§ 4996.21.	Associates; post-master's degree experience	
§ 4996.22.	Continuing education requirements; hours; records; approved providers; subject matter; fees	
§ 4996.23.	Post-master's degree experience; criteria	
§ 4996.25.	Graduate study coursework in aging and long-term care; program contents; minimum contact hours	
§ 4996.26.	Continuing education coursework in aging and long-term care; program contents; minimum number of hours	
§ 4997.	Inactive licenses	
ARTICLE 5	LICENSED CLINICAL SOCIAL WORKERS CORPORATIONS	55
§ 4998.	Definition	
§ 4998.1.	Unprofessional conduct	
§ 4998.2.	Name	
§ 4998.3.	Directors, shareholders and officers; license	
§ 4998.4.	Income attributable to shareholder who is disqualified person	
§ 4998.5.	Unprofessional conduct	
§ 4998.6.	Rules and regulations	
CIVIL CODE		57
DIVISION 1	PERSONS	57
PART 2	PERSONAL RIGHTS	57
§ 43.	General personal rights	
§ 43.1.	Unborn child deemed existing person	
§ 43.3.	Breastfeeding; location	
§ 43.4.	Fraudulent promise to marry or cohabit not actionable	
§ 43.5.	Wrongs not actionable	
§ 43.55.	Arrest under warrant regular on face not actionable	
§ 43.56.	Foster parents; alienation of child's affection	
§ 43.6.	Immunity from liability; actions against parents on childbirth claims; defenses and damages in third party actions	
§ 43.7.	Immunity from liability; mental health professional quality assurance committees; professional societies, members or staff; peer review or insurance underwriting committees; hospital governing board	
§ 43.8.	Immunity from liability for communication on evaluation of practitioner of healing arts	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 43.9.	Immunity from liability; health care providers; unsolicited referrals from tests by multiphasic screening unit; notice
§ 43.91.	Immunity from liability; members of professional society of persons licensed under the Real Estate Law; peer review committees
§ 43.92.	Psychotherapists; duty to warn of threatened violent behavior of patient; immunity from monetary liability
§ 43.93.	Psychotherapists; patient's cause of action for sexual contact; definitions
§ 43.95.	Immunity of professional society for referral services or telephone information library; duty to disclose disciplinary actions
§ 43.96.	Information to be provided to a complainant; immunity
§ 43.97.	Medical staff or membership privilege denial or restriction; immunity from liability; unreported or intentional injury exceptions
§ 43.98.	Communications to consultants to director of department of managed care; health care services; monetary liability
§ 43.99.	Immunity from monetary liability; building and other inspectors; independent quality review of plans, specifications or work on residential buildings under the State Housing Law; exceptions
§ 44.	Defamation
§ 45.	Libel
§ 45a.	Libel on its face; other actionable defamatory language
§ 46.	Slander, false and unprivileged publications which constitute
§ 47.	Privileged publication or broadcast
§ 47.	Privileged publication or broadcast
§ 47.5.	Peace officers; defamation action against person filing false complaint alleging misconduct, criminal conduct, or incompetence
§ 48.	Privileged publication or broadcast; malice not inferred
§ 48a.	Libel in newspaper; slander by radio broadcast
§ 48.5.	Defamation by radio; non-liability of owner, licensee or operator of broadcasting station or network
§ 48.7.	Child abuse; prohibition against libel or slander action while charges pending; tolling of limitations; pleadings; demurrer; attorney fees and costs
§ 48.8.	Communications to school personnel regarding threats to commit violence on the school grounds involving deadly or dangerous weapons; liability for defamation
§ 48.9.	Anonymous witness program; immunity
§ 49.	Personal relations, acts forbidden by
§ 50.	Force, right to use
§ 51.	Unruh Civil Rights Act; equal rights; business establishments; violation
§ 51.1.	Mandatory service on State Solicitor General of each party's brief or petition and brief in causes of action based on violation of civil rights statutes
§ 51.2.	Age discrimination in housing prohibited; exception; intent
§ 51.3.	Housing; age limitations; necessity for senior citizen housing
§ 51.4.	Exemption from special design requirement
§ 51.5.	Discrimination, boycott, blacklist, etc.; business establishments; equal rights
§ 51.6.	Gender Tax Repeal Act of 1995
§ 51.7.	Freedom from violence or intimidation
§ 51.8.	Discrimination; franchises
§ 51.9.	Sexual harassment; business, service and professional relationships
§ 51.10.	Business establishments; sale or rental of housing; age discrimination; senior housing; intent and application of section
§ 51.11.	Riverside County; establishment or preservation of senior housing; legislative findings and declarations; definitions; requirements; qualification of development; application of section

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 51.12.	Riverside County; senior housing; legislative findings and declarations; right of residency, occupancy, or use; application of section	
§ 52.	Denial of civil rights or discrimination; damages; civil action by people or person aggrieved; intervention; unlawful practice complaint	
§ 52.1.	Civil actions for protection of rights; damages, injunctive and other equitable relief; violations of orders	
§ 52.2.	Court of competent jurisdiction; defined; actions	
§ 52.3.	Law enforcement officers; prohibitions against conduct depriving persons of Constitutional rights, privileges, or immunities; civil actions	
§ 52.4.	Civil action for damages arising from gender violence	
§ 52.5.	Civil action for damages to victims of human trafficking	
§ 53.	Restrictions upon transfer or use of realty because of sex, race, color, religion, ancestry, national origin, or disability	
PART 2.6	CONFIDENTIALITY OF MEDICAL INFORMATION	72
CHAPTER 1	DEFINITIONS	72
§ 56.	Short title	
§ 56.05.	Definitions	
§ 56.06.	Corporations organized for the primary purpose of maintaining medical information in order to supply information to patient or health care provider for purposes of diagnosis or treatment; provider of health care; confidentiality; penalties	
§ 56.07.	Medical profile, summary, or information provided; patient's written request; application	
CHAPTER 2	DISCLOSURE OF MEDICAL INFORMATION BY PROVIDERS	73
§ 56.10.	Authorization; necessity; exceptions	
§ 56.101.	Destruction of records	
§ 56.102.	Disclosure of medical information by pharmaceutical company; authorizations, releases, consents, or waivers; exceptions	
§ 56.104.	Patient's participation in outpatient treatment with psychotherapist; request; content; application	
§ 56.105.	Professional negligence actions; settlement or compromise; authorization to disclose medical records to persons or organizations defending professional liability	
§ 56.11.	Authorization; form and contents	
§ 56.12.	Copy of authorization to patient or signatory on demand	
§ 56.13.	Further disclosure by recipient of medical information	
§ 56.14.	Communication of limitations of authorization to recipient of medical information	
§ 56.15.	Cancellation or modification of authorization; written notice	
§ 56.16.	Release of limited information on specific patient; written request by patient to prohibit	
CHAPTER 2.5	DISCLOSURE OF GENETIC TEST RESULTS BY A HEALTH CARE SERVICE PLAN	76
§ 56.17.	Genetic test results; unlawful disclosure; written authorization; penalties	
CHAPTER 3	USE AND DISCLOSURE OF MEDICAL INFORMATION BY EMPLOYERS	77
§ 56.20.	Confidentiality; prohibition of discrimination due to refusal to sign authorization; prohibition of disclosure; exceptions	
§ 56.21.	Authorization for disclosure by employer	
§ 56.22.	Copy of authorization to patient or signatory	
§ 56.23.	Communication of limitations of authorization to person to whom disclosure made	
§ 56.24.	Cancellation or modification of authorization	
§ 56.245.	Further disclosure by recipient of medical information	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 4	RELATIONSHIP OF CHAPTERS 2 AND 3	78
§ 56.25.	Disclosure by employer who is provider of health care	
CHAPTER 5	USE AND DISCLOSURE OF MEDICAL AND OTHER INFORMATION BY THIRD PARTY ADMINISTRATORS AND OTHERS	78
§ 56.26.	Prohibition; exceptions; inapplicability of section	
§ 56.265.	Annuity contracts; disclosure of individually identifiable information concerning health, medical or genetic history; prohibition	
CHAPTER 6	RELATIONSHIP TO EXISTING LAW	78
§ 56.27.	Employer that is insurance institution, agent or support organization; disclosure not in violation of § 56.20	
§ 56.28.	Patient's right to access	
§ 56.29.	Information Practices Act of 1977; applicability	
§ 56.30.	Exemptions from limitations of this part	
§ 56.31.	Disclosure or use of medical information under subdivision (f) of Section 56.30; HIV infection or exposure; employment incident	
CHAPTER 7	VIOLATIONS	79
§ 56.35.	Compensatory and punitive damages; attorneys' fees and costs	
§ 56.36.	Misdemeanors; violations; remedies	
§ 56.37.	Authorization, release, consent, or waiver; enforceability	
DIVISION 3	OBLIGATIONS	80
PART 4	OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS	80
TITLE 1.8	PERSONAL DATA	80
CHAPTER 1	INFORMATION PRACTICES ACT OF 1977	80
ARTICLE 1	GENERAL PROVISIONS AND LEGISLATIVE FINDINGS	80
§ 1798.	Citation of chapter	
§ 1798.1.	Legislative declaration and findings	
ARTICLE 2	DEFINITIONS	81
§ 1798.3.	Definitions	
ARTICLE 5	AGENCY REQUIREMENTS	81
§ 1798.14.	Contents of records	
§ 1798.15.	Sources of information	
§ 1798.16.	Personal information; maintaining sources of information	
§ 1798.17.	Notice; periodic provision; contents	
§ 1798.18.	Maintenance of records; standards; transfers of records outside state government	
§ 1798.19.	Contracts for the operation or maintenance of records; requirements of chapter; employees of agency	
§ 1798.20.	Rules of conduct; instruction	
§ 1798.21.	Safeguards; administrative, technical and physical	
§ 1798.22.	Designation of employee responsible for agency compliance	
§ 1798.23.	Department of Justice; periodic review of personal information; exemption from access	
ARTICLE 6	CONDITIONS OF DISCLOSURE	82
§ 1798.24.	Personal information	
§ 1798.24a.	Exception; screening of prospective concessionaires	
§ 1798.24b.	Disclosure of information to protection and advocacy agency for rights of persons with disabilities	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 7	ACCOUNTING OF DISCLOSURES	84
§ 1798.25.	Accounting for disclosure to law enforcement or regulatory agency; contents; routine disclosures	
§ 1798.26.	Motor vehicles; sale of registration information or information from drivers' licenses files; administrative procedures	
§ 1798.27.	Retention of accounting and original documents	
§ 1798.28.	Correction of errors; notation of disputes; notice	
§ 1798.29.	Agencies owning, licensing, or maintaining, computerized data including personal information; disclosure of security breach; notice requirements	
ARTICLE 8	ACCESS TO RECORDS AND ADMINISTRATIVE REMEDIES	85
§ 1798.30.	Regulations or guidelines; procedure for implementation of article	
§ 1798.32.	Maintenance of records; rights of inquiry and notice; contents of notice; rules and regulations	
§ 1798.33.	Copies of records; fees	
§ 1798.34.	Inspection of personal information in records and accounting; time; copies; form; availability	
§ 1798.35.	Amendment of records; procedure; notice	
§ 1798.36.	Refusal to amend records; review; final determination; time; statement of individual's disagreement	
§ 1798.37.	Disputed records; statements of individual's disagreement and rationale of agency for refusal of amendment; notation of disputed portions; copies	
§ 1798.38.	Promises or understandings concerning confidentiality of source; specified information in possession of agencies; protection of identity	
§ 1798.39.	Records evidencing property rights	
§ 1798.40.	Nondisclosure of personal information to individual to whom information pertains; criteria	
§ 1798.41.	Finding that requested information is exempt from access; written notice; review; ex parte orders authorizing responses of no maintenance	
§ 1798.42.	Disclosure of personal information relating to others; deletions	
§ 1798.43.	Disclosure of personal information to individual to whom information pertains; deletion of exempt information	
§ 1798.44.	Application of article	
ARTICLE 9	CIVIL REMEDIES	87
§ 1798.45.	Civil actions against agencies; grounds	
§ 1798.46.	Actions for refusal to comply with requests for inspection; injunctions; proceedings de novo; in camera examination of records; attorney fees and costs	
§ 1798.47.	Injunctions; orders and judgments	
§ 1798.48.	Failure to maintain records properly; noncompliance with provisions of chapter and rules; actual damages; costs; attorney fees	
§ 1798.49.	Jurisdiction; limitation of actions; nonexclusive rights and remedies	
§ 1798.50.	Personnel actions; qualifications of individuals; subjective opinions; liability	
§ 1798.51.	Lapse of time; corrections to records	
§ 1798.53.	Invasion of privacy; intentional disclosure of personal information; state or federal records; exemplary damages; attorney fees and costs	
ARTICLE 10	PENALTIES	88
§ 1798.55.	Intentional violations; agency officers and employees; discipline; termination of employment	
§ 1798.56.	False pretenses; requesting or obtaining records; misdemeanor	
§ 1798.57.	Wrongful disclosure of medical, psychiatric, or psychological information; economic loss or personal injury; misdemeanor	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 11	MISCELLANEOUS PROVISIONS	88
§ 1798.60.	Names and addresses; distribution for commercial purposes, sale or rental	
§ 1798.61.	Release of licensees' and applicants' names and addresses	
§ 1798.62.	Mailing lists; agencies; removal of names and addresses	
§ 1798.63.	Construction of chapter	
§ 1798.64.	Director of General Services; storage, processing and servicing of records; state archives; maintenance	
§ 1798.66.	Access to records; time limitations; extension	
§ 1798.67.	Liens or encumbrances; state; disclosure of information relating to identity	
§ 1798.68.	Disclosure of personal or confidential information to district attorney; petition to disclose	
§ 1798.69.	Release of names and addresses; State Board of Equalization	
ARTICLE 12	CONSTRUCTION WITH OTHER LAWS	89
§ 1798.70.	Superseding other provisions of state law	
§ 1798.71.	Discovery; rights of litigants	
§ 1798.72.	Personal information; disclosure of records to other than the subject; violation of other law	
§ 1798.73.	Privacy; constitutional rights	
§ 1798.74.	Student records	
§ 1798.75.	Inspection of public records	
§ 1798.76.	Law enforcement records; discovery in criminal or civil litigation	
§ 1798.77.	Modification, transfer, or destruction of records to avoid compliance with chapter prohibited; civil action; removal or destruction of requested information before access prohibited	
§ 1798.78.	Chapter deemed not to supersede Chapter 1299 of Statutes of 1976	
EDUCATION CODE		91
TITLE 2	ELEMENTARY AND SECONDARY EDUCATION	91
DIVISION 4	INSTRUCTION AND SERVICES	91
PART 30	SPECIAL EDUCATION PROGRAMS	91
CHAPTER 2	ADMINISTRATION	91
ARTICLE 2	SUPERINTENDENT OF PUBLIC INSTRUCTION	91
§ 56139.	Monitoring of local educational agencies to ensure compliance with requirements related to provision of mental health services to individuals with exceptional needs and appropriate utilization of funds; report to legislature; contents; collaboration and meeting requirements	
CHAPTER 4	IDENTIFICATION AND REFERRAL, ASSESSMENT, INSTRUCTIONAL PLANNING, IMPLEMENTATION, AND REVIEW	91
ARTICLE 2	ASSESSMENT	91
§ 56320.	Educational needs; requirements	
§ 56320.1.	Exceptional needs children under three years; identification, evaluation and assessment	
§ 56321.	Development or revision of individualized education program; proposed assessment plan; requirements; parental consent	
§ 56321.1.	Wards of the state; informed consent of parent	
§ 56321.5.	Right to electronically record meetings	
§ 56322.	Persons conducting assessment; competency; determination	
§ 56323.	Admission to special education instruction; law governing	
§ 56324.	Psychological assessment; health assessment	
§ 56325.	Transfer of pupil from district not operating programs under same local plan; adoption of previously approved or development of new individualized education program; student records; funding	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 56326.	Referrals for further assessment and recommendations	
§ 56327.	Results; reports	
§ 56328.	School site level and regional level service; utilization	
§ 56329.	Notice to parents or guardians; independent educational assessments; hearings; proposals for publicly financed nonpublic placements	
§ 56330.	Interpretation of assessment data; conformance with federal regulations	
§ 56331.	Referral of pupil to community mental health service	
PART 33	INSTRUCTIONAL MATERIALS AND TESTING	95
CHAPTER 2	ELEMENTARY SCHOOL MATERIALS	95
ARTICLE 2	DUTIES OF PUBLISHERS AND MANUFACTURERS	95
§ 60227.	Followup adoptions; notice to publishers and manufacturers; specifications in notice; fee; legislative intent; definitions	
ELECTIONS CODE		97
DIVISION 2	VOTERS	97
CHAPTER 3	CANCELLATION AND VOTER FILE MAINTENANCE	97
ARTICLE 1	GENERAL PROVISIONS	97
§ 2200.	Permanent registration	
§ 2201.	Grounds for cancellation	
§ 2202.	Uncanceled affidavits of registration; requirements for maintenance, recordation, and disposal	
§ 2203.	Manner of cancellation; correction of indexes	
§ 2204.	Change of residence within same precinct; change of affidavit upon notice	
§ 2205.	Notification of deaths; cancellation of affidavit of registration	
§ 2206.	Death statistics; availability	
§ 2208.	Mentally incompetent persons; disqualification from voting; order	
§ 2209.	Mentally incompetent persons; review under Probate Code of capability to complete affidavit; findings by investigator; hearing	
§ 2210.	Mentally incompetent persons; contest under Welfare and Institutions Code of disqualification from voting; restoration of right to vote; notice	
§ 2211.	Mentally incompetent person; determination under Penal or Welfare and Institutions Code provisions; disqualification from voting or registering to vote during period of confinement in facility; notice; release from treatment facility	
§ 2212.	Statement of persons convicted of felonies; cancellation of affidavits of registration for those imprisoned or on parole	
§ 2213.	Action to compel cancellation of registration; joinder of defendants	
EVIDENCE CODE		101
DIVISION 8	PRIVILEGES	101
CHAPTER 4	PARTICULAR PRIVILEGES	101
ARTICLE 6	PHYSICIAN–PATIENT PRIVILEGE	101
§ 990.	Physician	
§ 991.	Patient	
§ 992.	Confidential communication between patient and physician	
§ 993.	Holder of the privilege	
§ 994.	Physician–patient privilege	
§ 995.	When physician required to claim privilege	
§ 996.	Patient–litigant exception	
§ 997.	Exception: crime or tort	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 998.	Criminal proceeding	
§ 999.	Communication relating to patient condition in proceeding to recover damages; good cause	
§ 1000.	Parties claiming through deceased patient	
§ 1001.	Breach of duty arising out of physician–patient relationship	
§ 1002.	Intention of deceased patient concerning writing affecting property interest	
§ 1003.	Validity of writing affecting property interest	
§ 1004.	Commitment or similar proceeding	
§ 1005.	Proceeding to establish competence	
§ 1006.	Required report	
§ 1007.	Proceeding to terminate right, license or privilege	
ARTICLE 7	PSYCHOTHERAPIST–PATIENT PRIVILEGE	102
§ 1010.	Psychotherapist	
§ 1010.5.	Privileged communication between patient and educational psychologist	
§ 1011.	Patient	
§ 1012.	Confidential communication between patient and psychotherapist	
§ 1013.	Holder of the privilege	
§ 1014.	Psychotherapist–patient privilege; application to individuals and entities	
§ 1015.	When psychotherapist required to claim privilege	
§ 1016.	Exception: Patient–litigant exception	
§ 1017.	Exception: Psychotherapist appointed by court or board of prison terms	
§ 1018.	Exception: Crime or tort	
§ 1019.	Exception: Parties claiming through deceased patient	
§ 1020.	Exception: Breach of duty arising out of psychotherapist–patient relationship	
§ 1021.	Exception: Intention of deceased patient concerning writing affecting property interest	
§ 1022.	Exception: Validity of writing affecting property interest	
§ 1023.	Exception: Proceeding to determine sanity of criminal defendant	
§ 1024.	Exception: Patient dangerous to himself or others	
§ 1025.	Exception: Proceeding to establish competence	
§ 1026.	Exception: Required report	
§ 1027.	Exception: Child under 16 victim of crime	
FAMILY CODE		105
DIVISION 11	MINORS	105
PART 4	MEDICAL TREATMENT	105
CHAPTER 3	CONSENT BY MINOR	105
§ 6924.	Mental health treatment or counseling services; involvement of parents or guardians; liability of parents or guardians	
DIVISION 12	PARENT AND CHILD RELATIONSHIP	106
PART 4	FREEDOM FROM PARENTAL CUSTODY AND CONTROL	106
CHAPTER 2	CIRCUMSTANCES WHERE PROCEEDING MAY BE BROUGHT	106
§ 7826.	Parent declared developmentally disabled or mentally ill; right to action	
PART 5	INTERSTATE COMPACT ON PLACEMENT OF CHILDREN	106
§ 7911.1.	Out–of–state placements; investigation authority; inspections; assessment and placement recommendations; denial, suspension or discontinuance of certification	
DIVISION 13	ADOPTION	107
PART 1	DEFINITIONS	107
§ 8545.	Special–needs child	

CALIFORNIA STATUTES

TABLE OF CONTENTS

PART 2	ADOPTION OF UNMARRIED MINORS	107
CHAPTER 6	VACATION OF ADOPTION	107
§ 9100.	Developmental disability or mental illness prior to adoption; setting aside decree or order of adoption; petition; limitation of action; notification of department	
GOVERNMENT CODE		109
TITLE 1	GENERAL	109
DIVISION 4	PUBLIC OFFICERS AND EMPLOYEES	109
CHAPTER 1	GENERAL	109
ARTICLE 2	DISQUALIFICATION FOR OFFICE OR EMPLOYMENT	109
§ 1031.	Public officers or employees having powers of peace officers; minimum standards	
DIVISION 7	MISCELLANEOUS	109
CHAPTER 26.5	INTERAGENCY RESPONSIBILITIES FOR PROVIDING SERVICES TO CHILDREN WITH DISABILITIES	109
§ 7570.	Maximum utilization of resources	
§ 7571.	Assumption of responsibilities; department and county agencies to be designated	
§ 7572.	Assessments; provision of related services or designated instruction and services	
§ 7572.5.	Seriously emotionally disturbed child; expanded individualized education program team; individualized education program	
§ 7572.55.	Seriously emotionally disturbed child with a disability; out-of-state residential placement	
§ 7573.	Special education and related services	
§ 7575.	Occupational therapy and physical therapy	
§ 7576.	Mental health services; local educational agencies; individualized education programs; referrals; costs incurred prior to approval of individualized education program	
§ 7576.2.	Director of State Department of Mental Health; monitoring of county mental health agencies for compliance with requirements relating to provision of mental health services to disabled pupils and appropriate utilization of funds; report to legislature; collaboration and meeting requirements	
§ 7576.3.	Legislative intent regarding collaboration between Director of State Department of Mental Health and an entity with expertise in children's mental health for collection, analysis, and dissemination of best practices for delivery of mental health services to disabled pupils	
§ 7576.5.	Local educational agencies; authority to transfer appropriated funds	
§ 7577.	Client eligibility; assessment procedures; maintenance of services to secondary school pupils in project work ability	
§ 7578.	Disabled children and youth residing in state hospitals; special education programs and related services	
§ 7579.	Placement in residential facility outside child's home	
§ 7579.1.	Conditions of discharge for disabled children or youths with active individualized education programs	
§ 7579.2.	Discharge of special education recipient to closest community to home of parent or guardian	
§ 7579.5.	Surrogate parent; appointment; qualifications; liability	
§ 7579.6.	Wards of the state and unaccompanied homeless youth; appointment of surrogate parent	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 7580.	Community care facility licensing	
§ 7581.	Residential and noneducational costs; responsibility	
§ 7582.	Assessments and therapy treatment services; exemption from financial eligibility standards	
§ 7584.	Definitions	
§ 7585.	Failure to provide required services; written notification; resolution meeting; submission of issue to director of the office of administrative hearings; appeal; provision of services pending resolution; due process hearing; report	
§ 7586.	Procedural safeguards; hearing requests	
§ 7586.5.	Report on implementation of this chapter	
§ 7586.6.	Interagency agreements to implement chapter	
§ 7586.7.	Plan for in-service training of state and local personnel	
§ 7587.	Regulations	
§ 7588.	Operative date	
TITLE 2	GOVERNMENT OF THE STATE OF CALIFORNIA	116
DIVISION 3	EXECUTIVE DEPARTMENT	116
PART 2	CONSTITUTIONAL OFFICERS	116
CHAPTER 1	GOVERNOR	116
ARTICLE 2	POWERS AND DUTIES	116
§ 12012.30.	Ratification of tribal-state gaming compact entered into in accordance with Indian Gaming Regulatory Act of 1988	
TITLE 8	THE ORGANIZATION AND GOVERNMENT OF COURTS	117
CHAPTER 2	THE JUDICIAL COUNCIL	117
ARTICLE 3	COORDINATED EDUCATIONAL PROGRAMS FOR THE JUDICIARY	117
§ 68553.	Family law training	
HEALTH AND SAFETY CODE		119
DIVISION 1.5	USE OF SECLUSION AND BEHAVIORAL RESTRAINTS IN FACILITIES	119
§ 1180.	Reduction in use of seclusion and behavioral restraints in facilities; recommendations of California Health and Human Services Agency; training protocols and requirements; federal and private funding; staff injuries; implementation of section	
§ 1180.1.	Definitions	
§ 1180.2.	Application of section to certain state hospitals; technical assistance and training; avoidance of use of seclusion and behavioral restraints; exceptions; data collection; availability to public; reports of deaths or serious injuries to persons	
§ 1180.3.	Application of section to psychiatric units; technical assistance and training programs; avoidance of use of seclusion and behavioral restraints; publicly accessible data; Internet; uniform reporting; implementation of section	
§ 1180.4.	Initial assessment prior to placement decisions or upon admission to facility; contents of assessment; use of restraints for emergencies; prohibited restraints; use of prone containment techniques; monitoring	
§ 1180.5.	Clinical and quality reviews for episodes of use of restraints; timing of review; debriefing; documentation	
§ 1180.6.	Annual report to Senate and Assembly budget committee hearings of progress made in implementation of division	

CALIFORNIA STATUTES

TABLE OF CONTENTS

DIVISION 2 LICENSING PROVISIONS	122
CHAPTER 2 HEALTH FACILITIES	122
ARTICLE 1 GENERAL	122
§ 1250. Definitions	
§ 1250.2. Psychiatric health facility as § 1250 health facility; outpatient services; medicare participation	
§ 1254. Health facilities; inspection and licensing; separate license for provision of basic services; exemptions	
§ 1254.5. Eating disorders; legislative findings and declarations	
§ 1262. Discharge of patient; distribution of written aftercare plan; components; applicable facilities	
ARTICLE 3 REGULATIONS	125
§ 1275. Adoption, amendment, or repeal; procedure; continuation of prior regulations; health facility physical plant standards; outpatient services in freestanding physical plants; qualifications of professionals	
§ 1275.1. Psychiatric health facilities; regulations; legislative findings, declarations and intent; certificates of exemption	
§ 1276.4. Health facilities; licensed nurse-to-patient ratios by licensed nurse classification; application	
ARTICLE 6.5 RELEASE OF SEX OFFENDER TO LONG-TERM HEALTH CARE FACILITY	126
§ 1312. Notice required before release of sex offender to long-term health care facility	
ARTICLE 7 OTHER SERVICES	126
§ 1316.5. Clinical psychologists; health facility rules for medical staff membership and clinical privileges; report to legislature; appointments; use of facilities	
CHAPTER 2.2 HEALTH CARE SERVICE PLANS	127
ARTICLE 5 STANDARDS	127
§ 1373. Plan contract; coverage group contract; arbitration; commencement of benefits	
ARTICLE 5.6 POINT-OF-SERVICE HEALTH CARE SERVICE PLAN CONTRACTS	129
§ 1374.72. Severe mental illnesses; serious emotional disturbances of children	
CHAPTER 3 CALIFORNIA COMMUNITY CARE FACILITIES ACT	129
ARTICLE 1 GENERAL PROVISIONS	129
§ 1502. Definitions	
ARTICLE 2 ADMINISTRATION	130
§ 1522.41. Certification program; training of group home facilities administrators; exclusive regulatory control	
ARTICLE 3 REGULATIONS	132
§ 1530. Rules and regulations	
§ 1530.1. Adult day programs	
§ 1530.5. Regulations for homes	
§ 1530.6. Persons providing residential foster care; authority to give same legal consent as parent; exceptions; rules and regulations	
§ 1530.8. Licensed group homes; temporary shelter care facilities that care for children	
§ 1530.9. Regulations for licensed community treatment facilities; program certification and standards enforcement	
§ 1530.91. Orientation for school-aged children and their representatives by care provider that provides foster care; foster care facility with six or more children to post rights	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 3.2	RESIDENTIAL CARE FACILITIES FOR THE ELDERLY	133
ARTICLE 7	LEVELS OF CARE	133
§ 1569.725.	Incidental medical care; residential care facility	
DIVISION 2.5	EMERGENCY MEDICAL SERVICES	134
CHAPTER 9	LIABILITY LIMITATION	134
§ 1799.110.	Physicians and surgeons; general acute care hospital emergency departments	
§ 1799.111.	General acute care hospitals; detention or release; persons exhibiting mental disorders	
DIVISION 104	ENVIRONMENTAL HEALTH	134
PART 5	SHERMAN FOOD, DRUG, AND COSMETIC LAWS	134
CHAPTER 6	DRUGS AND DEVICES	134
ARTICLE 4	EXPERIMENTAL USE OF DRUGS	134
§ 111515.	Experimental drug	
§ 111520.	Prescription or administration of experimental drug in violation of article	
§ 111525.	Consent; method and manner of obtaining	
§ 111530.	Consent if subject is minor; drugs to which section applies	
§ 111535.	Revocation of consent	
§ 111540.	Review and approval of experimental activity by committee for protection of human subjects; copy of consent procedures; filing	
§ 111545.	Prescription by persons having ownership interest in nursing home facility or intermediate care facility prohibited	
DIVISION 106	PERSONAL HEALTH CARE (INCLUDING MATERNAL, CHILD, AND ADOLESCENT)	135
PART 1	GENERAL ADMINISTRATION	135
CHAPTER 1	PATIENT ACCESS TO HEALTH RECORDS	135
§ 123100.	Right to health information; legislative findings, declarations, and intent	
§ 123105.	Definitions	
§ 123110.	Inspection and copying of patient records and related material	
§ 123111.	Written addendum; inspection of records	
§ 123115.	Representative of minor; mental health records	
§ 123120.	Enforcement action; costs and attorney fees	
§ 123125.	Alcohol and drug abuse records; communicable disease carriers	
§ 123130.	Summary of record	
§ 123135.	Extent of access; application of confidentiality and information laws	
§ 123140.	Application of Information Practices Act; state agency records	
§ 123145.	Preservation of records by health services providers; damages actions for abandonment of records	
§ 123147.	Documentation of patient's principal spoken language	
§ 123148.	Test results; recording and reporting to patient; Internet or other electronic posting; plain language	
§ 123149.	Electronic recordkeeping systems; additional requirements	
§ 123149.5.	Information transmitted during delivery of health care via telemedicine; incorporation into patient's medical record	
DIVISION 107	STATEWIDE HEALTH PLANNING AND DEVELOPMENT	139
PART 3	HEALTH PROFESSIONS DEVELOPMENT	139
CHAPTER 5	HEALTH PROFESSIONS EDUCATION FOUNDATION PROGRAMS	139

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 4	LICENSED MENTAL HEALTH SERVICE PROVIDER EDUCATION PROGRAM	139
§ 128454.	Establishment of program; definitions; grant applicants; administration and requirements of program	
§ 128456.	Advice from representatives and organizations	
§ 128458.	Mental Health Practitioner Education Fund; expenditures	
PART 7	FACILITIES DESIGN REVIEW AND CONSTRUCTION	140
CHAPTER 1	HEALTH FACILITIES	140
ARTICLE 3	GENERAL REQUIREMENTS AND ADMINISTRATION	140
§ 129790.	Correctional treatment centers; building standards	
ARTICLE 4	SPECIAL REQUIREMENTS	140
§ 129905.	Correctional hospital buildings and treatment centers; plans for construction or alteration; exemption; certification of conformance with applicable building standards; secondary review	
INSURANCE CODE		141
DIVISION 1	GENERAL RULES GOVERNING INSURANCE	141
PART 2	THE BUSINESS OF INSURANCE	141
CHAPTER 1	GENERAL REGULATIONS	141
ARTICLE 6.6	INSURANCE INFORMATION AND PRIVACY PROTECTION ACT	141
§ 791.	Purpose of article	
§ 791.01.	Scope of article	
§ 791.02.	Definitions	
§ 791.03.	Pretext interviews	
§ 791.04.	Notice of personal information practices; applicants or policyholders	
§ 791.05.	Questions designed solely for marketing or research purposes	
§ 791.06.	Disclosure authorization forms; requirements for forms or statements	
§ 791.07.	Investigative consumer reports; information concerning interview and copies of reports	
§ 791.08.	Response to request for access to recorded personal information; time; medical record information; fee	
§ 791.09.	Correction, amendment, or deletion of recorded personal information; notice; statement of individual	
§ 791.10.	Adverse underwriting decisions; declination, cancellation or nonrenewal of enumerated policies; specific reasons for decision	
§ 791.11.	Prohibited information concerning previous adverse underwriting decisions or previous insurance coverage	
§ 791.12.	Adverse underwriting decision; prohibited grounds	
§ 791.13.	Requisites to disclosure of personal or privileged information; authorization; persons to whom disclosure may be made	
§ 791.14.	Examination and investigation of insurance institutions, agents, or insurance-support organizations	
§ 791.15.	Violations of article; statement of charges; notice of hearing; conduct of hearing; service of process	
§ 791.16.	Service of process; insurance-support organizations transacting business outside state	
§ 791.17.	Findings; cease and desist orders; written reports; service of process; modification or setting aside of orders or reports	
§ 791.18.	Judicial review; finality of order or report	
§ 791.19.	Violation of cease and desist order; penalties	
§ 791.20.	Equitable relief; damages; costs; attorney's fees; limitation of actions	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 791.21.	Immunity from defamation, invasion of privacy or negligence actions; exception for malice or willful intent	
§ 791.22.	Obtaining information under false pretenses; penalties	
§ 791.23.	Effective date of rights under Sections 791.08, 791.09 and 791.13; effect upon Section 770.1	
§ 791.26.	Authorization granted to a nonprofit hospital service plan	
§ 791.27.	Release of information to employers; authorizations; exceptions	
§ 791.28.	Required disclosure regarding contacting claims information database; insurers issuing policies covering residential property	
DIVISION 2	CLASSES OF INSURANCE	149
PART 2	LIFE AND DISABILITY INSURANCE	149
CHAPTER 1	THE CONTRACT	149
ARTICLE 2.5	DISCRIMINATORY PRACTICES	149
§ 10144.5.	Severe mental illnesses; serious emotional disturbances of children	
§ 10144.6.	Determining eligibility for claim reimbursement; utilizing information regarding whether an enrollee's psychiatric inpatient admission was made on a voluntary or involuntary basis	
PENAL CODE		151
PART 1	OF CRIMES AND PUNISHMENTS	151
TITLE 9	OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS	151
CHAPTER 5	BIGAMY, INCEST, AND THE CRIME AGAINST NATURE	151
§ 290.	Registration of sex offenders	
§ 290.02.	Preventing use of publicly-funded prescription drugs or therapies to treat erectile dysfunction in convicted sex offenders; information disclosure	
TITLE 16	GENERAL PROVISIONS	156
§ 667.9.	Conviction of certain crimes against persons 65 years of age or older, blind, deaf, developmentally disabled, paraplegic, quadriplegic, or under the age of 14 years; prior conviction; sentence enhancements	
PART 2	OF CRIMINAL PROCEDURE	156
TITLE 3	ADDITIONAL PROVISIONS REGARDING CRIMINAL PROCEDURE	156
CHAPTER 4.5	PEACE OFFICERS	156
§ 830.3.	Peace officers; employing agencies; authority	
§ 830.38.	State hospital officer	
§ 830.5.	Parole and probation officers; correctional or medical facility employees; firearms	
§ 832.05.	Emotional and mental examinations for evaluation of recruits or officers; examiner qualifications	
TITLE 6	PLEADINGS AND PROCEEDINGS BEFORE TRIAL	158
CHAPTER 2.65	CHILD ABUSE AND NEGLECT COUNSELING	158
§ 1000.12.	Legislative intent; referral to counseling or psychological treatment in lieu of prosecution; deferral of judgment in lieu of trial; dismissal of charges; eligibility standards	
CHAPTER 2.8	DIVERSION OF DEFENDANTS WITH COGNITIVE DEVELOPMENTAL DISABILITIES	159
§ 1001.20.	Definitions	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 1001.21.	Applicability of chapter	
§ 1001.22.	Consultation by court; appointment of counsel; reports of prosecutor, probation department, and regional center	
§ 1001.23.	Reinstitution of suspended criminal proceedings or implementation of diversion program; orders; dual or single agency supervision; report	
§ 1001.24.	Admissibility of statement or information procured from defendant during course of investigation	
§ 1001.25.	Admissibility of statement or information procured from defendant subsequent to granting diversion	
§ 1001.26.	Use of probation investigation, statements or information divulged by defendant in sentencing procedures	
§ 1001.27.	Exoneration of bail, bond, undertaking, or deposit	
§ 1001.28.	Time of diversion; progress reports	
§ 1001.29.	Modification of diversion order; reinstitution of criminal proceedings; hearing; notice; subsequent felony charge	
§ 1001.30.	Withdrawal of consent by defendant	
§ 1001.31.	Dismissal of criminal charges	
§ 1001.32.	Records to indicate disposition of cases	
§ 1001.33.	Successful completion of program; record; disclosure of arrest	
§ 1001.34.	Implementation of diversion-related individual program plan	
CHAPTER 4	PLEA	161
§ 1016.	Kinds of pleas; entry of multiple plea; presumption of sanity; change of plea; admission by plea of not guilty by reason of insanity without pleading not guilty	
§ 1016.5.	Advisement concerning status as alien; reconsideration of plea; effect of noncompliance	
§ 1017.	Place, form, and entry of plea	
§ 1018.	Defendant to plead in person; refusal of certain pleas; change of plea; corporate defendants; construction of section	
§ 1019.	Plea of not guilty; issues	
§ 1020.	Plea of not guilty; evidence admissible; exceptions	
§ 1021.	Former acquittal not on the merits; not acquittal of same offense	
§ 1022.	Former acquittal on the merits; acquittal of same offense	
§ 1023.	Conviction, acquittal, or jeopardy; bar to subsequent prosecution	
§ 1024.	Plea of not guilty; entry on refusal to answer charge	
§ 1025.	Charge of prior conviction; answer; entry in minutes; refusal to answer; trial by jury or court; use of prior convictions at trial	
§ 1026.	Plea of insanity; separate trials; presumption of sanity; trial of sanity issue; verdict; sentence; confinement in state hospital or mental facility; outpatient status; restoration to sanity; transfers between facilities; reports by hospitals or facilities	
§ 1026.1.	Release; grounds	
§ 1026.2.	Restoration to sanity; application for release of person who has been committed to state hospital or other treatment facility; requisites for and conduct of hearing; conditional release program and placement	
§ 1026.3.	Outpatient status	
§ 1026.4.	Escape of one committed to mental health facility	
§ 1026.5.	Maximum term of commitment; facilities for temporary detention	
§ 1026.6.	Release of persons committed; persons to be notified	
§ 1027.	Plea of insanity; appointment and testimony of psychiatrists or psychologists; examination of defendant; additional expert evidence	
TITLE 8	OF JUDGMENT AND EXECUTION	167
CHAPTER 1	THE JUDGMENT	167
§ 1191.	Appointment of time for pronouncing judgment; reference to probation officer or placement in diagnostic facility; extension of time	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 1201.	Causes against pronouncement of judgment; insanity; trial; pronouncement of judgment or commitment to state hospital; judgment after recovery of sanity; cause in arrest of judgment or for new trial	
§ 1203.1abc.	Assistance for convicts to obtain 12th grade education or GED; participant qualification; pilot program	
TITLE 10	MISCELLANEOUS PROCEEDINGS	168
CHAPTER 6	INQUIRY INTO THE COMPETENCE OF THE DEFENDANT BEFORE TRIAL OR AFTER CONVICTION	168
§ 1367.	Mentally incompetent persons; trial or punishment prohibited; application of specified sections	
§ 1367.1.	Incompetency during pendency of action, prior to judgment; judge's conclusion; order for evaluation and treatment; suspension of proceedings; conclusion of evaluation and treatment	
§ 1368.	Doubt as to defendant's sanity; mental competence; hearing; stay of criminal proceedings; discharge or retention of jury	
§ 1368.1.	Proceedings on demurrer or motion pending competency determination	
§ 1369.	Trial of issue of mental competence; psychiatric evaluations; order of proceedings	
§ 1370.	Resolution of question of mental competence; procedure after commitment to hospital or other facility; dismissal; conservatorship	
§ 1370.01.	Effect of mental competency finding on criminal process; treatment order; administration of antipsychotic medication; return to court; dismissal of action	
§ 1370.1.	Developmental disability of defendant; procedure	
§ 1370.2.	Dismissal of misdemeanor charges against one mentally incompetent	
§ 1370.3.	Placement on outpatient status from commitment	
§ 1370.4.	Conditions for order for outpatient treatment; law applicable	
§ 1370.5.	Escape of one committed to mental health facility	
§ 1371.	Commitment of defendant; exoneration of bail or return of deposit	
§ 1372.	Restoration of competency; return to court; notice; hearing; release of defendant or return to secure facility; payment of costs	
§ 1373.	Transportation of defendant to and from hospital; county charge; recovery from estate or relative	
§ 1373.5.	Rejected claim for transportation expense; interest	
§ 1374.	Outpatient's recovery of competence	
§ 1375.	Processing and payment of claims for amounts due from county to state	
§ 1375.5.	Credit on sentence for time spent in hospital or other facility	
§ 1376.	"Mentally retarded" defined; mental retardation hearing; decision of court or jury; presentation of evidence and arguments; death penalty	
TITLE 12	SPECIAL PROCEEDINGS OF A CRIMINAL NATURE	178
CHAPTER 3.5	DISCLOSURE OF MEDICAL RECORDS TO LAW ENFORCEMENT AGENCIES	178
§ 1543.	Health care facility patient records; procedure to obtain disclosure; exceptions	
CHAPTER 4	PROCEEDINGS AGAINST FUGITIVES FROM JUSTICE	179
§ 1551.05.	Mentally disordered and developmentally disabled offenders on outpatient status; departure from state without approval; application for extradition	
TITLE 15	OUTPATIENT STATUS FOR MENTALLY DISORDERED AND DEVELOPMENTALLY DISABLED OFFENDERS	179
§ 1600.	Eligibility	
§ 1600.5.	Actual custody and credit toward maximum term of commitment or term of extended commitment; time spent in locked facilities	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 1601.	Felonies of violence, required confinement; other offenses	
§ 1602.	Conditions; evaluation and treatment plan	
§ 1603.	Conditions; felonies of violence	
§ 1604.	Recommendations; hearing; determination; transmittal of record	
§ 1605.	Supervision; progress reports	
§ 1606.	Annual review; notice and hearing; powers of court	
§ 1607.	Supervisor's opinion as to recovery of competence; procedure	
§ 1608.	Request for revocation of outpatient status by treatment supervisor	
§ 1609.	Request for revocation of outpatient status by prosecutor	
§ 1610.	Confinement pending decision on request for revocation; review	
§ 1611.	Departure from state; approval from committing court; contents; notice of approval; hearing; penalty	
§ 1612.	Restrictions on release	
§ 1614.	Outpatients under former law	
§ 1615.	Treatment and supervision of judicially committed patients; availability of services; forensic conditional release program; contact of county mental health program; data gathering and program standards	
§ 1616.	Research agency study of the prevalence of severe mental disorder among state prison inmates and parolees; content; departments cooperating; design of study	
§ 1617.	Research and evaluation of forensic conditional release program	
§ 1618.	Waiver of criminal and civil liability for criminal acts committed by persons on parole or judicial commitment status receiving supervision or treatment; administrators and supervision and treatment staff	
§ 1619.	Automation of criminal histories of persons treated in forensic conditional release program and mentally disordered offenders	
§ 1620.	Access to criminal histories of mentally ill offenders receiving treatment and supervision by agencies providing treatment; confidentiality	
PART 3	OF IMPRISONMENT AND THE DEATH PENALTY	183
TITLE 1	IMPRISONMENT OF MALE PRISONERS IN STATE PRISONS	183
CHAPTER 4	TREATMENT OF PRISONERS	183
ARTICLE 3	DISPOSITION OF INSANE PRISONERS	183
§ 2684.	Transfer to state hospital; mentally ill, mentally deficient, or insane prisoner; conviction of stalking; duration of treatment	
§ 2685.	Receipt of prisoner; administrative procedure; return to prison; time of hospitalization as part of sentence	
ARTICLE 4	TEMPORARY REMOVAL OF PRISONERS	183
§ 2690.	Order for removal; custody; duration; reimbursement of state	
CHAPTER 7	EXECUTION OF SENTENCES OF IMPRISONMENT	184
ARTICLE 4	DISPOSITION OF MENTALLY DISORDERED PRISONERS UPON DISCHARGE	184
§ 2960.	Legislative findings and declarations	
§ 2962.	Treatment by state department of mental health as condition of parole; criteria for prisoners	
§ 2964.	Inpatient or outpatient treatment; hearing; informing prisoner of right; burden of proof	
§ 2966.	Treatment as condition of parole; hearing by board to prove prisoner meets criteria; judicial review; petition; procedure; jury trial; application to continuation of parole	
§ 2968.	Remission of prisoner's severe mental disorder; notice; discontinuation of treatment	
§ 2970.	Evaluation on remission where severe mental disorder is not in, or cannot be kept in, remission	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 2972.	Hearing on petition for continued treatment; jury trial; order; petition for recommitment; rights of patient; modification by regulations	
§ 2972.1.	Outpatient status; continuation, termination, or confinement to treatment facility; procedure	
§ 2974.	Placement of certain inmates prior to release or parolees in state hospital; probable cause	
§ 2976.	Cost of treatment; state expense; inpatient treatment of person placed outside of department of corrections facility not deemed release from imprisonment or custody	
§ 2978.	Independent professionals appointed by board of prison terms; qualifications; list	
§ 2980.	Application of article	
§ 2981.	Proof of treatment within year prior to parole or release; certified prison or state hospital records or copies	
TITLE 4	COUNTY JAILS, FARMS AND CAMPS	187
CHAPTER 1	COUNTY JAILS	187
§ 4011.6.	Treatment and evaluation of prisoner; notice; confidential reports; remand to facility; effect on sentence	
§ 4011.7.	Removal of guard from hospitalized prisoner; escape	
§ 4011.8.	Voluntary application for inpatient or outpatient mental health services; consent; notice; effect on sentence; denial of application	
TITLE 5	OFFENSES RELATING TO PRISONS AND PRISONERS	188
CHAPTER 2	ESCAPES AND RESCUES	188
ARTICLE 1	ESCAPES	188
§ 4536.	Mental health facility	
§ 4536.5.	Mental health facility; sexually violent predator; escape; notification	
TITLE 7	ADMINISTRATION OF THE STATE CORRECTIONAL SYSTEM	189
CHAPTER 2	THE SECRETARY OF THE DEPARTMENT OF CORRECTIONS AND REHABILITATION	189
§ 5058.5.	Physicians and surgeons; additional services which may be provided	
§ 5068.5.	Persons employed or under contract to provide mental health services, supervision or consultation on such services; qualifications; exemptions	
CHAPTER 3	THE BOARD OF PAROLE HEARINGS	189
§ 5079.	Psychiatric and diagnostic clinic; facilities and personnel; administration; duties; recommendations	
PART 4	PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS	190
TITLE 4	STANDARDS AND TRAINING OF LOCAL LAW ENFORCEMENT OFFICERS	190
CHAPTER 1	COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING	190
ARTICLE 2	FIELD SERVICES AND STANDARDS FOR RECRUITMENT AND TRAINING	190
§ 13510.5.	Rules of minimum standards; certain peace officers	
§ 13515.25.	Mentally disabled persons; law enforcement interaction; training course	
§ 13519.2.	Persons with developmental disabilities or mental illness; training course and guidelines	
PROBATE CODE		193
DIVISION 2	GENERAL PROVISIONS	193
PART 17	LEGAL MENTAL CAPACITY	193
§ 810.	Findings and declarations; capabilities of persons with mental or physical disorders; judicial determination; evidence	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 811.	Deficits in mental functions	
§ 812.	Capacity to make decisions	
§ 813.	Capacity to give informed consent to proposed medical treatment; judicial determination	
DIVISION 4	GUARDIANSHIP, CONSERVATORSHIP, AND OTHER PROTECTIVE PROCEEDINGS	194
PART 1	DEFINITIONS AND GENERAL PROVISIONS	194
CHAPTER 1	SHORT TITLE AND DEFINITIONS	194
§ 1400.	Guardianship–conservatorship law	
§ 1401.	Application of definitions	
§ 1403.	Absentee	
§ 1418.	Court	
§ 1419.	Court investigator	
§ 1419.5.	Custodial parent	
§ 1420.	Developmental disability	
§ 1424.	Interested person	
§ 1430.	Petition	
§ 1431.	Proceedings to establish a limited conservatorship	
§ 1440.	Secretary concerned	
§ 1446.	Single–premium deferred annuity	
CHAPTER 3	NOTICES	194
§ 1460.	Notice of time and place; mailing; posting; special notice; dispensation	
§ 1460.1.	Children under 12 years of age; exceptions to notice requirements	
§ 1461.	Notice to director; conditions; certificate; limitations	
§ 1461.4.	Regional center for developmentally disabled; notice of hearing and copy of petition; report and recommendation	
§ 1461.5.	Veterans Administration; notice of hearing on petition, report, account or inventory; time; conditions	
§ 1461.7.	Time and place of hearing on petition, report, or account; copies	
§ 1467.	Service by mail deemed complete	
§ 1469.	References to § 1220 deemed references to this chapter	
PART 2	GUARDIANSHIP	196
CHAPTER 1	ESTABLISHMENT OF GUARDIANSHIP	196
ARTICLE 2	APPOINTMENT OF GUARDIAN GENERALLY	196
§ 1510.	Petition for appointment; contents	
§ 1511.	Notice of hearing	
§ 1512.	Amendment of petition to disclose newly discovered proceeding affecting custody	
§ 1513.	Investigation; filing of report and recommendation concerning proposed guardianship; contents of report; confidentiality; application of section	
§ 1513.1.	Assessments	
§ 1513.2.	Status report; form; contents; confidentiality	
§ 1514.	Appointment of guardian	
§ 1514.5.	Information available for probate guardianship proceeding and guardianship investigator regarding best interest of child; confidentiality	
§ 1515.	No guardian of person for married minor	
§ 1516.	Petitions for guardianship of the person; mailing of notice of hearing and copy of petition; screening of guardians; application of section	
§ 1516.5.	Proceeding to have child declared free from custody and control of one or both parents	
§ 1517.	Guardianships resulting from selection and implementation of a permanent plan; application of part	

CALIFORNIA STATUTES

TABLE OF CONTENTS

PART 3	CONSERVATORSHIP	199
CHAPTER 1	ESTABLISHMENT OF CONSERVATORSHIP	199
ARTICLE 1	PERSONS FOR WHOM CONSERVATOR MAY BE APPOINTED	199
§ 1800.	Purpose of chapter	
§ 1800.3.	Conservatorship for adults, married minors, or nonresidents	
§ 1801.	Conservator of person or estate or person and estate; limited conservator; appointment; standard of proof	
§ 1802.	Appointment upon request of proposed conservatee; good cause	
§ 1803.	Conservator of estate of absentee; appointment	
§ 1804.	Missing persons; appointment of conservator of estate	
ARTICLE 3	ESTABLISHMENT OF CONSERVATORSHIP	199
§ 1820.	Petition; filing; persons authorized	
§ 1821.	Contents of petition; supplemental information; form	
§ 1822.	Notice of hearing; mailing	
§ 1823.	Citation to proposed conservatee; contents	
§ 1824.	Service of citation and petition upon proposed conservatee	
§ 1825.	Attendance of proposed conservatee at hearing; exceptions; inability to attend; affidavit	
§ 1826.	Court investigator; duties; report; distribution; confidentiality	
§ 1827.	Law and procedure applicable to hearing	
§ 1827.5.	Assessment of proposed limited or general conservatee	
§ 1828.	Information to proposed conservatee by court	
§ 1828.5.	Limited conservator for developmentally disabled adult; appointment; hearing	
§ 1829.	Persons who may support or oppose petition	
§ 1830.	Order appointing conservator or limited conservator for developmentally disabled adult; contents	
§ 1834.	Acknowledgment of receipt by conservator; statement of duties and liabilities; conservatorship information	
§ 1835.	Conservator's rights, duties, limitations and responsibilities; dissemination of information by Superior Court; failure to provide information	
CHAPTER 4	LEGAL CAPACITY OF CONSERVATEE	204
ARTICLE 2	CAPACITY TO GIVE INFORMED CONSENT FOR MEDICAL TREATMENT	204
§ 1880.	Determination by court; order	
§ 1881.	Inability of conservatee to give informed medical consent; judicial determination; factors	
§ 1890.	Order; inclusion in order appointing conservator; limited conservatee; physician's declaration	
§ 1891.	Petition for order; modification or revocation; contents	
§ 1892.	Notice of hearing	
§ 1893.	Attendance of conservatee at hearing	
§ 1894.	Court investigator; duties; report	
§ 1895.	Hearing, appearances; information to conservatee	
§ 1896.	Order; termination	
§ 1897.	Duration of order	
§ 1898.	Modification or revocation of order	
PART 4	PROVISIONS COMMON TO GUARDIANSHIP AND CONSERVATORSHIP	205
CHAPTER 5	POWERS AND DUTIES OF GUARDIAN OR CONSERVATOR OF THE PERSON	205
§ 2350.	Definitions	
§ 2351.	Care, custody, control and education	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 2351.5.	Limited conservator; modification of powers; notice; hearing	
§ 2352.	Residence of ward or conservatee	
§ 2353.	Medical treatment of ward	
§ 2354.	Medical treatment of conservatee not adjudicated to lack capacity to give informed consent	
§ 2355.	Medical treatment of conservatee adjudicated to lack capacity to make health care decisions	
§ 2356.	Limitations on application of chapter	
§ 2356.5.	Dementia; placement in secured facility; administration of medication; procedures; application	
§ 2357.	Court ordered medical treatment	
§ 2358.	Additional conditions in order of appointment	
§ 2359.	Petitions of guardian, conservator, ward or conservatee; approval of purchase, lease, or rental of property from estate; violations of section	
CHAPTER 6	POWERS AND DUTIES OF GUARDIAN OR CONSERVATOR OF THE ESTATE	209
ARTICLE 2	SUPPORT AND MAINTENANCE OF WARD OR CONSERVATEE AND DEPENDENTS	209
§ 2420.	Support, maintenance and education	
§ 2421.	Allowance for ward or conservatee	
§ 2422.	Order authorizing support notwithstanding third party liability	
§ 2423.	Payment of surplus income to relatives of conservatee	
ARTICLE 7	SALES	210
§ 2540.	Court supervision; exceptions; personal residence	
§ 2541.	Purpose	
§ 2542.	Terms of sales	
§ 2543.	Manner of sale	
§ 2544.	Sale of securities	
§ 2544.5.	Sale of mutual funds held without beneficiary designation	
§ 2545.	Sale or other disposition of tangible personal property	
§ 2547.	Disposition of proceeds of sale	
§ 2548.	Recovery of property sold; limitation of action	
ARTICLE 10	SUBSTITUTED JUDGMENT	211
§ 2580.	Petition to authorize proposed action	
§ 2581.	Notice of hearing of petition	
§ 2582.	Consent or lack of capacity of conservatee; adequate provision for conservatee and dependents	
§ 2583.	Proposed actions by court; relevant circumstances	
§ 2584.	Determination and order	
§ 2585.	No duty to propose action	
§ 2586.	Production of conservatee's will and other relevant estate plan documents; safekeeping of documents by custodian appointed by the court	
CHAPTER 7	INVENTORY AND ACCOUNTS	213
ARTICLE 2	INVENTORY AND APPRAISAL OF ESTATE	213
§ 2610.	Filing inventory and appraisal	
§ 2611.	Copy to directors of mental health or developmental services	
§ 2612.	Copy to county assessor	
§ 2613.	Subsequently discovered or acquired property; supplemental inventory and appraisal	
§ 2614.	Objections to appraisals	
§ 2614.5.	Failure to file inventory and appraisal; removal of guardian or conservator	
§ 2615.	Failure to file inventory; liability; damages; bond	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 3	ACCOUNTS	214
§ 2620.	Periodic accounting of guardian or conservator; final court accounting; filing of original account statements	
§ 2620.2.	Failure to file account; notice; citation; contempt; removal	
§ 2621.	Notice of hearing	
§ 2622.	Objections to account	
§ 2622.5.	Objections or opposition to objections without reasonable cause or in bad faith; payment of costs and expenses; personal liability	
§ 2623.	Compensation and expenses of guardian or conservator	
§ 2625.	Review of sales, purchases and other transactions	
§ 2626.	Termination of proceeding upon exhaustion of estate	
§ 2627.	Settlement of accounts and release by ward; discharge of guardian	
§ 2628.	Public benefit payments; procedure; conditions	
CHAPTER 9.5	APPOINTMENT OF SUCCESSOR GUARDIAN OR CONSERVATOR	215
ARTICLE 2	APPOINTMENT OF SUCCESSOR CONSERVATOR	215
§ 2680.	Vacancy; appointment of successor	
§ 2681.	Petition; filing; persons or entities authorized	
§ 2682.	Petition; contents	
§ 2683.	Notice of hearing; time and place; mailing	
§ 2684.	Court investigator; duties	
§ 2685.	Presence of conservatee at hearing; duty of court	
§ 2686.	Absence of conservatee from hearing; continuance; duties of court investigator	
§ 2687.	Persons authorized to support or oppose petition	
§ 2688.	Appointment; determination; law governing	
§ 2689.	Absentee conservatee; applicable provisions	
PART 5	PUBLIC GUARDIAN	217
CHAPTER 2	APPOINTMENT OF PUBLIC GUARDIAN	217
§ 2920.	Application for appointment; court order; notice and hearing	
§ 2920.5.	Submission of fingerprints of, and information regarding, person being investigated as potential conservator; persons or entities authorized to make submissions; types of information	
§ 2921.	Persons under jurisdiction of department of mental health or department of developmental services; consent to application	
§ 2922.	Letters; bond and oath	
PART 6	MANAGEMENT OR DISPOSITION OF COMMUNITY PROPERTY WHERE SPOUSE LACKS LEGAL CAPACITY	218
CHAPTER 2	MANAGEMENT, CONTROL, AND DISPOSITION	218
ARTICLE 3	ENFORCEMENT OF SUPPORT OF SPOUSE WHO HAS CONSERVATOR	218
§ 3080.	Petition for order	
§ 3081.	Notice of hearing	
§ 3082.	Citation to and examination of spouse managing or controlling community property	
§ 3083.	Support pendente lite, effect of order; modification or revocation	
§ 3084.	Current income, expense and property declarations; service and filing; forms	
§ 3085.	Ex parte protective orders	
§ 3086.	Continuance; preparation for hearing	
§ 3087.	Character of property; determination	
§ 3088.	Application of income and principal for support and maintenance; circumstances; periodic payments; jurisdiction to modify or vacate; orders	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 3089.	Division of community property; transfer of property to conservator of estate; after-acquired property	
§ 3090.	Enforcement of orders	
§ 3091.	Rules for practice and procedure	
§ 3092.	Use of other procedures for enforcement of support obligation; authority	
CHAPTER 3	PROCEEDING FOR PARTICULAR TRANSACTION	219
ARTICLE 3	PETITION	219
§ 3120.	Permissible allegations	
§ 3121.	Required contents	
§ 3122.	Petition for court order authorizing transaction	
§ 3123.	Petition for court order declaring legal capacity for transaction	
ARTICLE 5	HEARING AND ORDER	220
§ 3140.	Representation of spouse alleged to lack legal capacity; appointment of legal counsel	
§ 3141.	Presence of spouse at hearing	
§ 3142.	Information to be given spouse by court	
§ 3143.	Order declaring legal capacity	
§ 3144.	Order authorizing transaction	
§ 3145.	Effect of determination of lack of legal capacity	
PART 7	CAPACITY DETERMINATIONS AND HEALTH CARE DECISIONS FOR ADULT WITHOUT CONSERVATOR	221
§ 3200.	Definitions	
§ 3201.	Petition	
§ 3202.	Jurisdiction and venue	
§ 3203.	Persons authorized to file petition	
§ 3204.	Contents of petition	
§ 3205.	Appointment of legal counsel	
§ 3206.	Notice of hearing and copy of petition; service; exceptions; considerations by court	
§ 3207.	Submission for determination on medical declarations	
§ 3208.	Order authorizing health care	
§ 3208.5.	Patient with capacity to consent; court findings and orders	
§ 3209.	Continuing jurisdiction of court	
§ 3210.	Procedure supplemental and alternative	
§ 3211.	Prohibition against placement in mental health treatment facility; restrictions on treatment	
§ 3212.	Treatment by spiritual means	
PART 8	OTHER PROTECTIVE PROCEEDINGS	222
CHAPTER 4	MONEY OR PROPERTY PAID OR DELIVERED PURSUANT TO COMPROMISE OR JUDGMENT FOR MINOR OR INCOMPETENT PERSON	222
ARTICLE 1	GENERAL PROVISIONS	223
§ 3600.	Application of chapter	
§ 3601.	Order directing payment of expenses, costs and fees	
§ 3602.	Disposition of remaining balance	
§ 3603.	Reference to “person with a disability”	
§ 3604.	Payment to special needs trust; petition for order; trust requirements; jurisdiction of court; court orders	
§ 3605.	Statutes of limitation; death of beneficiary; notice of death; payment of claims; application of section	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 2	DISPOSITION OF MONEY OR OTHER PROPERTY WHERE NO GUARDIANSHIP OR CONSERVATORSHIP	224
§ 3610.	Disposition of remaining balance	
§ 3611.	Order of court	
§ 3612.	Continuing jurisdiction until minor reaches majority; continuing jurisdiction over trust of person with a disability who reaches majority	
§ 3613.	Orders or judgments with respect to adults who have capacity to consent	
DIVISION 4.7	HEALTH CARE DECISIONS	225
PART 1	DEFINITIONS AND GENERAL	225
CHAPTER 1	SHORT TITLE AND DEFINITIONS	225
§ 4600.	Short title	
§ 4603.	Definitions governing construction of this division	
§ 4605.	Advance health care directive	
§ 4607.	Agent	
§ 4609.	Capacity	
§ 4611.	Community care facility	
§ 4613.	Conservator	
§ 4615.	Health care	
§ 4617.	Health care decision	
§ 4619.	Health care institution	
§ 4621.	Health care provider	
§ 4623.	Individual health care instruction	
§ 4625.	Patient	
§ 4627.	Physician	
§ 4629.	Power of attorney for health care	
§ 4631.	Primary physician	
§ 4633.	Principal	
§ 4635.	Reasonably available	
§ 4637.	Residential care facility for the elderly	
§ 4639.	Skilled nursing facility	
§ 4641.	Supervising health care provider	
§ 4643.	Surrogate	
CHAPTER 2	GENERAL PROVISIONS	226
§ 4650.	Legislative findings	
§ 4651.	Application; exemptions	
§ 4652.	Scope	
§ 4653.	Mercy killing, assisted suicide, or euthanasia	
§ 4654.	Health care contrary to generally accepted health care standards	
§ 4655.	Intention of patient	
§ 4656.	Effect of death resulting from withholding or withdrawing health care	
§ 4657.	Presumption of capacity	
§ 4658.	Determination regarding patient's capacity to be made by primary physician	
§ 4659.	Persons excluded from making decisions under this division	
§ 4660.	Copy of directive; effect	
CHAPTER 3	TRANSITIONAL PROVISIONS	227
§ 4665.	Application of division	
PART 2	UNIFORM HEALTH CARE DECISIONS ACT	227
CHAPTER 1	ADVANCE HEALTH CARE DIRECTIVES	227
ARTICLE 1	GENERAL PROVISIONS	227
§ 4670.	Persons entitled to give individual health care instruction; method; conditions	
§ 4671.	Persons entitled to execute power of attorney for health care; scope authority granted	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4672.	Nomination of conservator	
§ 4673.	Sufficiency of directive	
§ 4674.	Requirements	
§ 4675.	Patients in skilled nursing facilities; witnesses	
§ 4676.	Instruments from another state or jurisdiction; validity	
§ 4677.	Requiring execution or revocation of directive as condition for providing health care	
§ 4678.	Examination and disclosure of medical information	
ARTICLE 2 POWERS OF ATTORNEY FOR HEALTH CARE		229
§ 4680.	Sufficiency of power of attorney	
§ 4681.	Limitations on statutory authority	
§ 4682.	Authority of agent	
§ 4683.	Scope of agent's authority	
§ 4684.	Decisions to be made in principal's best interests	
§ 4685.	Agent; priority in making health care decisions	
§ 4686.	Lapse of time since execution of power of attorney; effect	
§ 4687.	Rights of agent apart from power of attorney	
§ 4688.	Law of agency; application	
§ 4689.	Objection to agent's health care decision by principal; effect	
§ 4690.	Incapacity of principal; determination	
ARTICLE 3 REVOCATION OF ADVANCE DIRECTIVES		229
§ 4695.	Persons entitled to revoke advance directives; method	
§ 4696.	Communication of fact of revocation	
§ 4697.	Dissolution of marriage; effect	
§ 4698.	Conflicting directives	
CHAPTER 2 ADVANCE HEALTH CARE DIRECTIVE FORMS		230
§ 4700.	Use of particular form not required; effect of form or other writing	
§ 4701.	Statutory form	
CHAPTER 3 HEALTH CARE SURROGATES		234
§ 4711.	Designation of surrogate for health care decisions; expiration; priority and revocation	
§ 4714.	Decisions based on patient's best interests	
§ 4715.	Disqualification of person from acting as surrogate	
§ 4716.	Domestic partner of patient	
§ 4717.	Authority to make health care decisions on behalf of patient who is unconscious or incapable of communication; duty of hospital to make reasonable efforts to contact patient's agent, surrogate or family member; exceptions	
CHAPTER 4 DUTIES OF HEALTH CARE PROVIDERS		234
§ 4730.	Communication to patient	
§ 4731.	Recording of information in patient's health care record; notification to agent or surrogate regarding revocation or disqualification	
§ 4732.	Primary physician; duty to record information regarding patient's capacity	
§ 4733.	Compliance with health care instructions and health care decisions	
§ 4734.	Declining to comply with health care instruction or decision due to reasons of conscience	
§ 4735.	Declining to comply with health care instruction or decision that is medically ineffective	
§ 4736.	Duties upon declining to comply with health care instruction or decision	
CHAPTER 5 IMMUNITIES AND LIABILITIES		235
§ 4740.	Health care provider or institution; immunity from civil or criminal liability	
§ 4741.	Agent or surrogate; immunity from civil or criminal liability	
§ 4742.	Intentional violations and acts; liability; damages	
§ 4743.	Altering or forging health care directive; criminal liability	

CALIFORNIA STATUTES

TABLE OF CONTENTS

PART 3	JUDICIAL PROCEEDINGS	235
CHAPTER 1	GENERAL PROVISIONS	235
§ 4750.	Necessity of judicial intervention or approval	
§ 4751.	Cumulative nature of remedies	
§ 4752.	Ability to limit judicial intervention or authority	
§ 4753.	Limitation on ability of person to petition court; requirements; restrictions	
§ 4754.	Jury trial	
§ 4755.	Application of Division 3	
CHAPTER 2	JURISDICTION AND VENUE	236
§ 4760.	Superior court jurisdiction	
§ 4761.	Exercise of jurisdiction	
§ 4762.	Agent or surrogate subject to personal jurisdiction	
§ 4763.	Venue	
CHAPTER 3	PETITIONS AND ORDERS	236
§ 4765.	Persons entitled to file petition	
§ 4766.	Purposes for filing petition	
§ 4767.	Commencement of proceeding	
§ 4768.	Dismissal of petition	
§ 4769.	Notice of time and place of hearing	
§ 4770.	Temporary order prescribing health care	
§ 4771.	Attorney's fees	
PART 4	REQUEST TO FORGO RESUSCITATIVE MEASURES	237
§ 4780.	Definitions	
§ 4781.	"Health care provider"	
§ 4782.	Immunity from criminal or civil liability or other sanction	
§ 4783.	Forms; contents	
§ 4784.	Presumption of validity or request	
§ 4785.	Persons within or outside of hospital; application of part	
§ 4786.	Effect on other laws	
PART 5	ADVANCE HEALTH CARE DIRECTIVE REGISTRY	237
§ 4800.	Registry system; establishment	
§ 4801.	Procedures to verify identities; fees	
§ 4802.	Procedures to advise registrants of certain matters	
§ 4803.	Failure to register; effect on validity of directive	
§ 4804.	Effect of registration on ability to revoke directive	
§ 4805.	Duties of health care providers; effect of part	
DIVISION 6	WILLS AND INTESTATE SUCCESSION	238
PART 1	WILLS	238
CHAPTER 1	GENERAL PROVISIONS	238
§ 6100.	Persons who may make will	
§ 6100.5.	Persons not mentally competent to make a will; specified circumstances	
§ 6101.	Property which may be disposed of by will	
§ 6102.	Persons to whom will may dispose of property	
§ 6103.	Application of certain chapters	
§ 6104.	Duress, menace, fraud, or undue influence; effect on execution or revocation	
§ 6105.	Conditional validity	

CALIFORNIA STATUTES

TABLE OF CONTENTS

PUBLIC CONTRACT CODE	241
DIVISION 2 GENERAL PROVISIONS	241
PART 2 CONTRACTING BY STATE AGENCIES	241
CHAPTER 2 STATE ACQUISITION OF GOODS AND SERVICES	241
ARTICLE 2 APPROVAL OF CONTRACTS	241
§ 10295.3. Contracts for acquisition of goods or services between state agency and contractor; discrimination against employees with domestic partners; definitions; application of section; conditions; confidentiality; waiver of section requirements; violation of section	
WELFARE AND INSTITUTIONS CODE	243
DIVISION 2 CHILDREN	243
PART 1 DELINQUENTS AND WARDS OF THE JUVENILE COURT	243
CHAPTER 2 JUVENILE COURT LAW	243
ARTICLE 1 GENERAL PROVISIONS	243
§ 208. Detention or sentence to adult institutions; contact with adults; adults committed for sex offenses	
ARTICLE 3 PROBATION COMMISSION	243
§ 241.1. Minor who appears to be dependent child and ward of court; initial determination of status pursuant to jointly developed written protocol; dual status children; creation of protocol	
ARTICLE 7 DEPENDENT CHILDREN TEMPORARY CUSTODY AND DETENTION	244
§ 319.1. Minors in need of specialized mental health treatment; notification of county mental health department	
ARTICLE 9 DEPENDENT CHILDREN HEARINGS	244
§ 357. Holding minor in psychopathic ward of county hospital	
ARTICLE 17 WARDS HEARINGS	244
§ 702.3. Insanity plea joined with general denial; hearings; treatment; period of commitment	
§ 705. Holding minor in psychopathic ward of county hospital	
§ 710. Mental health services recommendations; application of §§ 711 to 713	
§ 711. Referral for mental health evaluation	
§ 712. Mental health evaluator; examination; report	
§ 713. Dispositional procedures	
§ 714. Assessment or services to minors by regional centers	
DIVISION 4 MENTAL HEALTH	246
PART 1 GENERAL ADMINISTRATION, POWERS AND DUTIES OF THE DEPARTMENT	246
CHAPTER 1 GENERAL	246
§ 4000. Department	
§ 4001. Definitions	
§ 4004. Director as executive officer	
§ 4005. Director; chief deputy; appointment; compensation; powers	
§ 4005.1. Rules and regulations	
§ 4005.4. Continuation of regulations	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4006.	Grants and gifts	
§ 4007.	Expenditures	
§ 4008.	Travel expenses; official business	
§ 4009.	Employees	
§ 4010.	Applicable laws	
§ 4011.	Execution of laws by department	
§ 4011.5.	State hospitals; special education and related services for individuals with exceptional needs	
§ 4012.	Powers and duties of department	
§ 4012.5.	Aftercare services for patients on leave from state hospitals; contracts	
§ 4015.	Persons who have died while residing at state hospitals and developmental centers; inventory of materials and records to create record; location of gravesites; names of patients who donated remains for medical research; restoration of gravesites and cemeteries; protocol for future interment of patients who die while residing in state hospital or developmental center; creation of task force; status update on implementation	
§ 4016.	Right to examine copies of code	
§ 4017.	Resources and services	
§ 4021.	Investigatory powers; notice to attorney general	
§ 4022.	Complaints; verification; service; notice	
§ 4024.	Review and approval of proposed allocations for level-of-care staffing in state hospitals serving persons with mental disabilities; assumptions underlying estimates of state hospital mentally disabled population; comparison of actual and estimated population levels; analysis of causes of change and fiscal impact	
§ 4024.5.	Multiple diagnoses; treatment; combined funding; plan	
§ 4025.	Limit on charges; care; care treatment	
§ 4027.	Regulations concerning inpatient rights of certain mentally ill offenders	
CHAPTER 2 PLANNING, RESEARCH, EVALUATION AND QUALITY ASSURANCE		249
ARTICLE 1 PLANNING, RESEARCH, EVALUATION AND QUALITY ASSURANCE		249
§ 4030.	Organization of staff to assure implementation	
§ 4031.	Duties of state department of mental health	
§ 4032.	Grants and contracts; giving and receipt	
§ 4033.	Federal planning requirements; compliance by state	
ARTICLE 2 RESEARCH AND EVALUATION		250
§ 4040.	Clinical research or evaluation studies	
§ 4041.	Clearinghouse for information; review and dissemination of results	
§ 4042.	Cooperation and coordination with other state and local agencies	
§ 4043.	Mental health research projects; intent; priorities	
§ 4044.	Research priorities; funding	
§ 4045.	County requests for funds	
ARTICLE 3 TECHNICAL ASSISTANCE		250
§ 4050.	Availability to county and other local mental health agencies	
§ 4051.	Guidelines, models and operational assistance	
§ 4052.	Training	
§ 4060.	Joint state-county decisionmaking process; implementation of § 4050	
§ 4061.	Joint state-county decisionmaking process; areas of use; inclusion of mental health board members; resources	
ARTICLE 4 MEDI-CAL QUALITY ASSURANCE		251
§ 4070.	Development of quality assurance program; standards and guidelines	
§ 4071.	Approval of each local program	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 3	FACILITY LICENSING, PROGRAM CERTIFICATION, AND RATESETTING	251
ARTICLE 1	LICENSING AND RATESETTING ASSESSMENT	251
§ 4074.	Assessment of need	
ARTICLE 2	PRIVATE RESIDENTIAL CARE FACILITIES	252
§ 4075.	Payment for special needs of mentally disordered persons; rates; eligibility criteria; establishment of standardized assessment tool and client monitoring system	
§ 4076.	Contracts for additional services; payment rate system	
§ 4078.	Licensing of facilities	
ARTICLE 3	PSYCHIATRIC HEALTH FACILITIES	252
§ 4080.	Licensing of facilities; review; standards; penalties	
ARTICLE 4	SOCIAL REHABILITATION FACILITIES AND COMMUNITY RESIDENTIAL TREATMENT PROGRAMS	254
§ 4090.	Standards for residential treatment programs and facilities	
§ 4091.	Evaluation and enforcement of standards; delegation	
ARTICLE 5	PROGRAMS FOR SERIOUSLY EMOTIONALLY DISTURBED CHILDREN AND COURT WARDS AND DEPENDENTS	254
§ 4094.	Program standards; compliance; delegation of certification and supervision; regulations; admission of minors	
§ 4094.1.	Joint protocols for oversight of community treatment facilities	
§ 4094.2.	Community treatment facility programs; payment rates; budgets; foster care rate; supplemental rate; documents to facilitate study; federal financial participation; emergency regulations	
§ 4094.5.	Regulations; admission of children; containment; use of secure facility programs; fire clearance approval; certification of child as seriously emotionally disturbed; costs to counties	
§ 4094.6.	Children; patients' rights provisions; habeas corpus hearings; regulations	
§ 4094.7.	Community treatment facilities; secure and nonsecure beds; number of beds; location of facilities; criteria used to determine programs to be licensed; nonprofit status	
§ 4095.	Legislative intent; duties of department; eligibility requirements; information to be made available to legislature	
§ 4096.	Interagency collaboration; state-county contracts; allocation of funds; procedures for assessment of placed child	
§ 4096.5.	Classification of group home program at rate classification level 13 or 14; certification; termination of certification	
CHAPTER 5	EARLY INTERVENTION MENTAL HEALTH PROGRAM	258
§ 4097.	Establishment of program	
§ 4097.1.	Funding	
§ 4097.2.	Program services	
§ 4097.3.	Evaluation of program	
CHAPTER 6	SUICIDE PREVENTION PROGRAMS	258
§ 4098.	Legislative findings and declarations	
§ 4098.1.	Short title	
§ 4098.2.	Establishment and implementation of program	
§ 4098.3.	Public awareness and education campaigns	
§ 4098.4.	Assessment and prevention program	
§ 4098.5.	Suicide crisis line integrated network	

CALIFORNIA STATUTES

TABLE OF CONTENTS

PART 2	ADMINISTRATION OF STATE INSTITUTIONS FOR THE MENTALLY DISORDERED	259
CHAPTER 1	JURISDICTION AND GENERAL GOVERNMENT	259
§ 4100.	Jurisdiction over institutions	
§ 4100.5.	Contract for services with department of developmental services	
§ 4101.	Uniform rules and regulations	
§ 4102.	Corporation	
§ 4103.	Acquisition of property	
§ 4104.	Eminent domain	
§ 4105.	Easements and rights-of-way for road purposes; Patton State Hospital	
§ 4106.	Right-of-way for road purposes; Napa State Hospital	
§ 4107.	Security of certain patients committed to Patton State Hospital; plan to transfer patients from Patton State Hospital; maximum patients committed to Patton State Hospital; Department of Corrections and State Department of Mental Health joint plan to ensure security; duration of section	
§ 4107.1.	Internal security for patients	
§ 4109.	Powers and duties of department	
§ 4109.5.	Closure of state hospitals; closure plans; submission to legislature; components; legislative approval; developmental centers	
§ 4110.	Estimates of supplies, expenses, buildings and improvements	
§ 4111.	Manufacture of supplies and materials	
§ 4112.	Disposition of money received; appropriation to cover premium for specified third-party Medicare coverage	
§ 4112.1.	Inapplicability of section 4112 to sheltered workshop funds	
§ 4113.	Financial statements	
§ 4114.	Reports to department	
§ 4115.	Buildings for religious services	
§ 4116.	Training schools and courses	
§ 4117.	Payment of costs of certain trials and hearings	
§ 4118.	Cooperation in deportation of aliens	
§ 4119.	Return of confined nonresidents	
§ 4120.	Determination of residence	
§ 4121.	Expense of return	
§ 4122.	Transfer of patients	
§ 4123.	Transfer to federal institution	
§ 4124.	List of veterans	
§ 4125.	Deposit and investment of patients' funds; benefit fund; report to legislature	
§ 4126.	Unclaimed personalty of deceased patient	
§ 4127.	Unclaimed personalty of escaped or discharged patient	
§ 4128.	Notice of intended disposition	
§ 4129.	Schedule of property	
§ 4130.	Destroyed property; bar to action	
§ 4131.	Retroactive application	
§ 4132.	Mentally disordered persons to be regarded as patients and not as inmates	
§ 4133.	Day hospitals and rehabilitation centers; law governing	
§ 4134.	Sanitation, health and hygiene standards; compliance	
§ 4135.	Mentally abnormal sex offender; commitment; discharge; records; inspection	
§ 4136.	Patients in state hospitals for mentally disordered; aid for personal and incidental needs; letter-writing materials and postage	
§ 4137.	Death of patient by act of state employee; notice; inquiry; termination of employment; disciplinary action	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 2	BOARDS OF TRUSTEES AND OTHER ADVISORY BOARDS	265
§ 4200.	Hospital advisory boards; separate boards for mentally disordered and developmentally disordered; members; appointment; term; vacancy	
§ 4201.	Eligibility; vacancies	
§ 4202.	Advisory boards; powers; compensation; meetings; expenses	
§ 4202.5.	Annual meetings; expenses; development of annual regional meetings	
§ 4203.	Atascadero State Hospital; advisory board	
CHAPTER 2.5	FAMILIES OF PERSONS WITH SERIOUS MENTAL DISORDERS	266
§ 4240.	Legislative findings and declarations	
§ 4241.	Legislative intent	
§ 4242.	Definitions	
§ 4243.	Funds; request for proposal seeking applicants capable of supplying services	
§ 4244.	Contract to provide specified services	
§ 4245.	Contracts; annual period; annual report	
CHAPTER 3	OFFICERS AND EMPLOYEES	267
§ 4300.	Officers	
§ 4301.	Clinical director and hospital administrator; appointment; duties; program director	
§ 4302.	Determination of employee needs	
§ 4303.	Salaries and wages; inclusion in estimate; payment	
§ 4304.	Primary purpose of state hospital; duties of officers and employees	
§ 4305.	Planning, development, etc., of patient services and supervision of research and clinical training	
§ 4306.	Planning, development, etc., of administrative and supportive services	
§ 4307.	Chief executive officer; responsibilities	
§ 4308.	Clinical director, hospital administrator, hospital director and program directors; vacancies; appointments; salary; qualifications	
§ 4309.	Hospital director; responsibilities; substitutes	
§ 4311.	Hospital administrator; preservation of peace; arrests	
§ 4312.	Rules and regulations	
§ 4313.	Police; powers of peace officers; compensation; duties	
§ 4314.	Stores and canteens	
§ 4315.	Meaning of "superintendent", "medical superintendent", "superintendent or medical director" or "medical director"	
§ 4316.	Sheltered workshop; establishment purpose; operation	
§ 4317.	Sheltered workshop fund; administration; use; insurance of goods and products; use of money	
§ 4318.	Written recommended aftercare plan; contents; transmittal	
§ 4319.	In-service training programs; state hospital treatment personnel	
§ 4320.	Psychiatric technicians; equivalency training program; state hospitals for mentally disordered	
CHAPTER 4	COUNTY USE OF STATE HOSPITALS	269
§ 4330.	Reimbursement for use of state hospital beds	
§ 4331.	Contracts for hospital beds	
§ 4332.	Contract provisions	
§ 4333.	Hospital net bed reductions; exempted counties; annual contracts for state hospital beds	
§ 4333.5.	Use of facilities; costs	
§ 4334.	Catalogue of state hospital services; county involvement in planning	
§ 4335.	Other arrangements for delivery of services	
PART 3	DEPARTMENTAL PROGRAM INITIATIVES	271
CHAPTER 1	SELF-HELP PROGRAMS	271
§ 4340.	Mental health prevention program; establishment of self-help groups	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 2	HUMAN RESOURCE DEVELOPMENT	271
§ 4341.	Human resources development program; implementation; areas of emphasis	
§ 4341.1.	Task force for staffing needs of health, human services, and criminal justice agencies; members; objectives of task force; progress report	
§ 4341.5.	Forensic skills; training programs	
CHAPTER 4	PRIMARY INTERVENTION PROGRAM	272
§ 4343.	Legislative intent; goals	
§ 4344.	Development of programs	
§ 4345.	Program guidelines	
§ 4346.	Program teams; responsibilities; training	
§ 4347.	Referrals	
§ 4348.	Grants; program financing	
§ 4349.	Selection criteria	
§ 4349.5.	Application of chapter to grants awarded prior to effective date of this section	
§ 4349.7.	Proposals submitted between April 1, 1992, and May 1, 1992, receiving passing score; funding	
§ 4350.	Program roles	
§ 4350.5.	School districts or county superintendents of schools; responsibilities	
§ 4351.	Training of personnel	
§ 4352.	Review of programs	
§ 4352.5.	Administrative costs	
CHAPTER 5	PERSONS WITH ACQUIRED TRAUMATIC BRAIN INJURY	275
§ 4353.	Legislative findings and declarations	
§ 4354.	Definitions	
§ 4354.5.	Traumatic brain injuries; legislative findings and intent	
§ 4355.	Project sites; postacute continuum-of-care models	
§ 4356.	Pilot sites; additional sites; evaluation; collection of data; report	
§ 4357.	Site requirements	
§ 4357.1.	Working group; members; compensation; consultation with department; contracts	
§ 4357.2.	New sites; location; training, technical assistance, and mentoring; caregiver services	
§ 4358.	Traumatic brain injury fund	
§ 4358.5.	Traumatic brain injury fund; matching federal funds	
§ 4359.	Duration of chapter	
CHAPTER 6	CONDITIONAL RELEASE PROGRAM	278
§ 4360.	Establishment of program; care and services in community; exemptions for services	
CHAPTER 7	COMPREHENSIVE ACT FOR FAMILIES AND CAREGIVERS OF BRAIN-IMPAIRED ADULTS	278
§ 4362.	Legislative findings	
§ 4362.5.	Definitions	
§ 4363.	Administration; standards and procedures	
§ 4363.5.	Director's duties	
§ 4364.	Statewide resources consultant; duties	
§ 4364.5.	Statewide resources consultant; duties regarding respite care	
§ 4365.	Statewide resources consultant; criteria for selection	
§ 4365.5.	Progress reports; annual report	
§ 4366.	Resource centers; functions	
§ 4366.5.	Resource centers; governing or advisory boards; selection criteria	
§ 4367.	Programs and services; use of funds; direct services	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 4367.5.	Client eligibility	
§ 4368.	Client contributions	
§ 4368.5.	Funding	
CHAPTER 8	STATE PROGRAM OF PROBLEM GAMBLING	281
§ 4369.	Office of Problem and Pathological Gambling; creation	
§ 4369.1.	Definitions	
§ 4369.2.	Problem gambling prevention program; contents and requirements of program; treatment services for problem and pathological gamblers; information availability	
§ 4369.3.	Program design and development; office duties	
§ 4369.4.	State agency coordination; state program account of problem and pathological gamblers	
PART 4	SCHOOL-BASED EARLY MENTAL HEALTH INTERVENTION AND PREVENTION SERVICES FOR CHILDREN ACT	282
CHAPTER 1	GENERAL PROVISIONS AND DEFINITIONS	282
§ 4370.	Short title	
§ 4371.	Legislative findings and declaration	
§ 4372.	Definitions	
CHAPTER 2	SCHOOL-BASED EARLY MENTAL HEALTH INTERVENTION AND PREVENTION SERVICES MATCHING GRANT PROGRAM	282
§ 4380.	Award of matching grants; authorization; time; state and local shares; priority; supportive services; applications; use	
§ 4381.	Conditions for funding	
§ 4383.	Award of funds under this part and healthy start support services for children act; criteria	
CHAPTER 3	SCHOOL-BASED EARLY MENTAL HEALTH INTERVENTION AND PREVENTION SERVICES MATCHING GRANT PROGRAM EVALUATIONS AND REPORTS	284
§ 4390.	Reports of local education agencies and director; evaluation	
DIVISION 4.5	SERVICES FOR THE DEVELOPMENTALLY DISABLED	284
CHAPTER 1	GENERAL PROVISIONS	284
§ 4514.	Confidential information and records; disclosure; consent	
§ 4514.3.	Disclosure of information and records to protection and advocacy agency for rights of persons with developmental disabilities	
§ 4514.5.	Information to patient's family or designee; patient authorization	
DIVISION 4.7	PROTECTION AND ADVOCACY AGENCY	287
CHAPTER 1	DEFINITIONS	287
§ 4900.	Definitions	
§ 4901.	Private nonprofit corporation; conformance with requirements of federal law by agency and by state officers and employees; authority of protection and advocacy systems; cooperation with state officers and employees; investigations of reports of adult abuse or neglect	
§ 4902.	Powers and duties	
§ 4903.	Access to information and records; confidentiality of records of agency	
§ 4904.	Immunity from liability	
§ 4905.	Reprisal or harassment, or directly or indirectly take or threaten to take any actions to prevent reports to agency of abuse, neglect or other violations; attempt to remove from facility or program or to deny rights as retaliation for complaint	
§ 4906.	Prohibition against use of force to obtain access to information	

CALIFORNIA STATUTES

TABLE OF CONTENTS

DIVISION 5	COMMUNITY MENTAL HEALTH SERVICES	291
PART 1	THE LANTERMAN–PETRIS–SHORT ACT	291
CHAPTER 1	GENERAL PROVISIONS	291
§ 5000.	Short title	
§ 5001.	Legislative intent	
§ 5002.	Persons who may not be judicially committed; receipt of services	
§ 5003.	Voluntary applications for mental health services	
§ 5004.	Protection from criminal acts	
§ 5004.5.	Reports of crime; complaints	
§ 5005.	Rights of person complained against	
§ 5006.	Prayer treatment	
§ 5007.	Prospective application	
§ 5008.	Definitions	
§ 5008.1.	Judicially committed; defined	
§ 5008.2.	Applying definition of mental disorder; consideration of historical course of disorder	
§ 5009.	Choice of physician	
§ 5010.	Agency administering federal Developmental Disabilities Act; access to records	
§ 5012.	Determining eligibility for payment or reimbursement for mental health or other health care services; persons taken into custody under this part	
§ 5020.1.	Mentally ill minor; release from state hospital; aftercare plan for educational and training needs	
§ 5110.	Proceedings in superior court; costs	
§ 5111.	Compensation of appointed counsel	
§ 5113.	Exemptions from liability	
§ 5114.	Proceedings by district attorney or county counsel	
§ 5115.	Legislative intent	
§ 5116.	Property used for care of six or fewer handicapped persons or dependent or neglected children as residential use for zoning purposes	
§ 5117.	Plan for consolidation of facilities standard setting, licensure and ratesetting functions of departments	
§ 5118.	Hearings; time and place; conduct; public; validation	
§ 5119.	Employment of state employees in county mental health program; retention of benefits; retraining programs	
§ 5120.	State policy; care and treatment of patients in local community; discrimination in zoning; prohibition	
CHAPTER 2	INVOLUNTARY TREATMENT	294
ARTICLE 1	DETENTION OF MENTALLY DISORDERED PERSONS FOR EVALUATION AND TREATMENT	294
§ 5150.	Dangerous or gravely disabled person; taking into custody; application; basis of probable cause; liability	
§ 5150.05.	Determination of probable cause to take person into custody or cause person to be taken into custody	
§ 5150.1.	Peace officer transporting person to designated facilities; prohibited activities by employees of facilities	
§ 5150.2.	Detaining peace officer; documentation; disposition procedures and guidelines for persons not admitted	
§ 5150.3.	Alternative services; persons not admitted to facility	
§ 5150.4.	Assessment	
§ 5151.	Detention for evaluation; individual assessments prior to admission to determine appropriateness of detention; services provided	
§ 5152.	Evaluation; treatment and care; written and oral information on effects of medication; release or other disposition	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5152.1.	Notification to county mental health director, peace officer, or person designated by law enforcement agency employing peace officer; conditions	
§ 5152.2.	Methods for prompt notification to peace officers	
§ 5153.	Plain clothes officers; vehicles	
§ 5154.	Exemption from liability	
§ 5155.	Supplementary licenses; issuance by local entities	
§ 5156.	Personal property of person taken into custody; report; responsible relative defined	
§ 5157.	Information to be given person taken into custody; contents; record of advisement	
ARTICLE 1.5	DETENTION OF INEBRIATES FOR EVALUATION AND TREATMENT	297
§ 5170.	Dangerous or gravely disabled person; taking into civil protective custody	
§ 5170.1.	Treatment and evaluation facilities; inclusions	
§ 5170.3.	Evaluation facility; application	
§ 5170.5.	Right to make telephone calls	
§ 5170.7.	Release upon request; determination	
§ 5171.	Detention for evaluation; services provided	
§ 5172.	Evaluation; treatment and care; release or other disposition	
§ 5172.1.	Voluntary application by inebriate for admission	
§ 5173.	Exemption from liability	
§ 5174.	Funding	
§ 5175.	Evaluation and treatment of other persons	
§ 5176.	Counties to which article applicable; designation of facilities and capacities	
ARTICLE 2	COURT-ORDERED EVALUATION FOR MENTALLY DISORDERED PERSONS	299
§ 5200.	Persons who may be given evaluation; consideration of privacy and dignity	
§ 5201.	Petition by individual	
§ 5202.	Pre-petition screening; report of findings	
§ 5203.	False application for petition; offense; civil liability	
§ 5204.	Petition; contents	
§ 5205.	Petition; form	
§ 5206.	Order for evaluation; issuance; service; presence of advisors; procedure on non-appearance; release or other disposition	
§ 5207.	Order for evaluation; form	
§ 5208.	Service of petition and order; notice of failure to appear	
§ 5210.	Precautions to preserve and safeguard personal property of patient; property report; responsible relative	
§ 5211.	Property report; form	
§ 5212.	Plain clothes officers; vehicles	
§ 5213.	Detention for treatment; duration; written and oral information on effects of medication	
ARTICLE 3	COURT-ORDERED EVALUATION FOR PERSONS IMPAIRED BY CHRONIC ALCOHOLISM OR DRUG ABUSE	301
§ 5225.	Order for evaluation; transfer from justice court	
§ 5226.	Advice as to rights and consequences; right of counsel	
§ 5226.1.	Dismissal or suspension of proceedings on order for evaluation; resumption or dismissal of criminal proceedings; conservatorship	
§ 5227.	Order for evaluation; form	
§ 5228.	Order of evaluation; service of copy	
§ 5229.	Precautions to preserve and safeguard personal property of patient; property report; responsible relative	
§ 5230.	Detention for treatment	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 4	CERTIFICATION FOR INTENSIVE TREATMENT	303
§ 5250.	Time limitation or certification for intensive treatment; grounds for certification	
§ 5250.1.	Unconditional release from intensive treatment; notice; destruction of records	
§ 5251.	Notice of certification; signatories	
§ 5252.	Necessity for, and form of, notice of certification	
§ 5253.	Delivery of copy of certification notice; designation of any other person to be informed	
§ 5254.	Certification review hearing; notice of entitlement; time; issues; rights of person certified	
§ 5254.1.	Judicial review by habeas corpus; notice of right; explanation of term; right to counsel	
§ 5255.	Discussion of commitment process with person certified; assistance	
§ 5256.	Necessity and time for certification review hearing	
§ 5256.1.	Conduct of hearing; commissioner, referee, or certification review hearing officer; qualifications; location of hearing	
§ 5256.2.	Evidence; presentation	
§ 5256.3.	Presence of certified person at certification review hearing; necessity; waiver	
§ 5256.4.	Rights of certified person at certification review hearing; manner of conducting hearing; notification of family members; admission and consideration of evidence	
§ 5256.5.	Termination of involuntary detention upon finding of lack of probable cause; certified person voluntarily remaining at facility	
§ 5256.6.	Detention of certified person for involuntary care, protection and treatment upon finding of probable cause	
§ 5256.7.	Notification of decision at conclusion of certification review hearing; request for release; right to fill; hearing	
§ 5256.8.	Limitation on certification review hearing requirement	
§ 5257.	Termination of involuntary commitment; remaining at facility on a voluntary basis; referral information; limitation on involuntary detainment	
§ 5258.	Limitation on total period of detention	
§ 5259.	Permitting person certified for intensive treatment to leave facility for short periods during involuntary additional treatment	
§ 5259.1.	Detention in violation of this article; civil damages	
§ 5259.2.	Compliance with preference for one of two or more treatment facilities	
§ 5259.3.	Immunity from civil or criminal liability for release	
ARTICLE 4.5	ADDITIONAL INTENSIVE TREATMENT OF SUICIDAL PERSONS	306
§ 5260.	Confinement for further intensive treatment; conditions	
§ 5261.	Second notice of certification; necessity; signing	
§ 5262.	Form of second notice of certification	
§ 5263.	Copies of second notice of certification for imminently suicidal persons; filing; delivery; designation of person to be informed	
§ 5264.	Duration of certification; release; exceptions	
§ 5265.	Liability for excessive detention	
§ 5266.	Preference for treatment facility	
§ 5267.	Exemption from liability	
§ 5268.	Leaves of absence during confinement	
ARTICLE 4.7	ADDITIONAL INTENSIVE TREATMENT	308
§ 5270.10.	Legislative intent	
§ 5270.12.	Counties; application of article; monitoring of compliance	
§ 5270.15.	Certification for additional treatment; conditions	
§ 5270.20.	Second notice of certification; signature by professional person in charge of facility; requirements	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5270.25.	Requirement of second notice for involuntary intensive treatment; form	
§ 5270.30.	Second notice of certification; filing; delivery; designation of recipient	
§ 5270.35.	Certification; length of intensive treatment; termination; release of patient	
§ 5270.40.	Knowing and willful detention of a person; civil damages	
§ 5270.45.	Preference for one facility	
§ 5270.50.	Release of person prior to end of 30 days; criminal and civil liability	
§ 5270.55.	Detention beyond 14-day period of intensive treatment; evaluation; appointment of conservator; additional certification; hearing	
§ 5270.65.	Permission for certified person to leave facility	
ARTICLE 5	JUDICIAL REVIEW	309
§ 5275.	Habeas corpus; request for release	
§ 5276.	Jurisdiction and venue; counsel; order for evidentiary hearing; findings; release	
§ 5276.1.	Waiver of presence of physician, licensed psychologist, or other professional person; reception of certification of records	
§ 5276.2.	Certification review hearing upon withdrawal of request for judicial review; procedures	
§ 5277.	Findings as evidence	
§ 5278.	Exemption from liability	
ARTICLE 6	POSTCERTIFICATION PROCEDURES FOR IMMINENTLY DANGEROUS PERSONS	310
§ 5300.	Additional confinement; grounds, duration; treatment, necessity, amenability	
§ 5300.5.	Custody, defined; commitment, conviction unnecessary; demonstrated danger; determination	
§ 5301.	Petition; time; contents; form; affidavits	
§ 5302.	Attorney for patient; appointment; jury trial	
§ 5303.	Time for hearing; due process; jury trial; continuation of treatment	
§ 5303.1.	Hearing or jury trial; appointment of forensic psychiatrist or psychologist; testimony; waiver of presence of professional or designee and physician; reception of documents	
§ 5304.	Remand for additional treatment; duration; new petition	
§ 5305.	Outpatient status; qualifications; notice of outpatient treatment plan; effective date of plan; hearing; outpatient supervision; reports	
§ 5306.	Exemption from liability	
§ 5306.5.	Request for outpatient status revocation; copy of request; hearing; order for confinement and revocation	
§ 5307.	Petition for hearing to determine whether outpatient should be continued on such status; notice; body attachment order of confinement	
§ 5308.	Confinement of outpatient pending proceeding for revocation of outpatient status; taking into custody and transporting outpatient; notice; review; subsequent release	
§ 5309.	Release prior to expiration of commitment period; grounds; plan for unconditional release, notice, effective date, approval after hearing	
ARTICLE 7	LEGAL AND CIVIL RIGHTS OF PERSONS INVOLUNTARILY DETAINED	313
§ 5325.	List of rights; posting; waiver	
§ 5325.1.	Same rights and responsibilities guaranteed others; discrimination by programs or activities receiving public funds; additional rights	
§ 5325.2.	Persons subject to detention pursuant to §§ 5150, 5250, 5260, 5270.15; right to refuse antipsychotic medication	
§ 5326.	Denial of rights; cause; record	
§ 5326.1.	Reports; number of persons denied rights; availability of information	
§ 5326.15.	Reports; persons receiving treatment; categories	
§ 5326.2.	Voluntary informed consent; information constituting	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5326.3.	Written consent form; contents
§ 5326.4.	Supplemented written consent form; oral explanation by physician; entry on record
§ 5326.5.	Written informed consent; definition; when given
§ 5326.55.	Personal involvement in treatment; committee members; review of cases
§ 5326.6.	Psychosurgery; conditions for performing; responsible relative; refusal to consent
§ 5326.7.	Convulsive treatment; involuntary patients; conditions for administering
§ 5326.75.	Convulsive treatment; other than involuntary patients; condition to administer
§ 5326.8.	Convulsive treatment; minors; conditions to perform
§ 5326.85.	Refusal of convulsive treatment; entry on record
§ 5326.9.	Violations; investigation; notice; authorized actions; intentional violation by physician of §§ 5326.2 to 5326.8; knowing violations of §§ 5325, 5325.1
§ 5326.91.	Committee reviewal of convulsive treatments; records; immunity of members
§ 5326.95.	Regulations by director; standards for excessive use of convulsive treatment
§ 5327.	Rights of involuntarily detained persons
§ 5328.	Confidential information and records; disclosure; consent
§ 5328.01.	Confidential information and records; disclosure to law enforcement agencies; consent; court orders
§ 5328.02.	Confidential information and records; disclosure to youth authority and adult correctional agency
§ 5328.05.	Confidential information and records; elder abuse or neglect; consent; staff requirements
§ 5328.06.	Disclosure of information and records to protection and advocacy agency for rights of people with mental disabilities and mental illness
§ 5328.1.	Information to patient's family; patient authorization; liability for damages
§ 5328.2.	Criminal matters; information to department of justice
§ 5328.3.	Notice of disappearance of patient
§ 5328.35.	Patient escape or walkaway; development of notification policies and procedures
§ 5328.4.	Crimes against person by or upon patient; release of information
§ 5328.5.	Confidential information and records; disclosure; elder abuse or dependent adult abuse
§ 5328.6.	Record of disclosures
§ 5328.7.	Consent forms; record of forms used; copy for patient
§ 5328.8.	Death of patient in state mental hospital; release of information to coroner
§ 5328.9.	Disclosure to employer; conditions; disclosure to patient; notice of nondisclosure to superior court
§ 5328.15.	Authorized disclosure of confidential information and records
§ 5329.	Statistical data
§ 5330.	Action for damages
§ 5331.	Evaluation on competency; effect; statement of California Law
§ 5332.	Administration of antipsychotic medication to persons subject to detention; consideration of treatment alternatives; internal procedures at hospitals; acquisition of person's medication history; emergency procedures
§ 5333.	Capacity hearings; representation by advocate or counsel; petition; notice
§ 5334.	Capacity hearings; time for hearing; location; hearing officer; determination; notification; appeal; habeas corpus
§ 5336.	Capacity hearings; effect of determination
§ 5337.	Persons determined at certification review hearing to be danger to others; right to file petition for post certification

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 8	COMMUNITY CONTROLLED SUBSTANCES TREATMENT SERVICES	324
§ 5340.	Legislature intent	
§ 5341.	Controlled substances defined	
§ 5342.	Construction	
§ 5343.	Laws applicable	
§ 5344.	Expenditures	
ARTICLE 9	THE ASSISTED OUTPATIENT TREATMENT DEMONSTRATION PROJECT ACT OF 2002	324
§ 5345.	Short title; definitions	
§ 5346.	Assisted outpatient treatment; orders; petitions; right to counsel; hearings; treatment plan; involuntary detention; continued treatment; habeas corpus	
§ 5347.	Voluntary treatment; settlement agreements	
§ 5348.	Services offered; involuntary medication; report	
§ 5349.	Operative effect	
§ 5349.1.	Training and education program	
§ 5349.5.	Repeal	
CHAPTER 3	CONSERVATORSHIP FOR GRAVELY DISABLED PERSONS	328
§ 5350.	Appointment; procedure	
§ 5350.1.	Purpose	
§ 5350.2.	Notification of family members or other designated persons; time and place of hearing	
§ 5351.	Investigating agencies; provision of services	
§ 5352.	Recommendation; petition; temporary conservator; procedure	
§ 5352.1.	Temporary conservatorship	
§ 5352.2.	Public guardian; bond and oath	
§ 5352.3.	Additional detention pending filing petition; maximum involuntary detention for gravely disabled	
§ 5352.4.	Appeal of judgment establishing conservatorship; continuation of conservatorship; exception	
§ 5352.5.	Initiation of proceedings; reimbursement	
§ 5352.6.	Individualized treatment plan; development; goals; progress review; termination of conservatorship by court	
§ 5353.	Temporary conservator; arrangements pending determination of conservatorship; powers; residence of conservatee; sale or relinquishment of property	
§ 5354.	Investigation of alternatives to conservatorship; recommendations of conservatorship; report of investigation, necessity, contents, transmittal, use	
§ 5354.5.	Acceptance or rejection of position as conservator; recommendation of substitute; public guardian	
§ 5355.	Designation of conservator; conflicts of interest; public guardian	
§ 5356.	Investigation report; recommendations; agreement to serve as conservator	
§ 5357.	Conservator; general and special powers; disability of conservatee	
§ 5358.	Placement of conservatee; treatment	
§ 5358.1.	Nonliability of conservator, public guardian or peace officer for action by conservatee	
§ 5358.2.	Medical treatment of conservatee; court order; emergencies	
§ 5358.3.	Petition to contest rights denied conservatee or powers granted conservator; subsequent petitions; voting rights	
§ 5358.5.	Conservatee leaving facility without approval; return to facility or removal to county designated treatment facility; request to peace officer	
§ 5358.6.	Outpatient treatment for conservatee; agreement of person in charge of facility; progress report	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5358.7.	Challenge by conservatee of placement or conditions of confinement; place of judicial review; place of return upon release	
§ 5359.	Alternative placement	
§ 5360.	Recommendations of officer providing conservatorship investigation	
§ 5361.	Termination; power and authority over estate; reappointment; opinion of physicians or psychologists; release or detention of conservatee	
§ 5362.	Notice of impending termination; petition for reappointment; court hearing or jury trial; decree of termination	
§ 5363.	Ratification of acts beyond term	
§ 5364.	Petition for rehearing on status as conservatee; notice of voter registration right	
§ 5365.	Time for hearing petitions; attorney	
§ 5365.1.	Waiver of presence of professionals and physicians; reception of documents	
§ 5366.	Roster of gravely disabled patients; investigation of need for conservatorship	
§ 5366.1.	Detention for evaluation; persons detained under court commitment or upon application of local health officer; disposition	
§ 5367.	Effect of conservatorship on prior commitment	
§ 5368.	Effect of conservatorship on presumption of competence	
§ 5369.	Conservatee with criminal charges pending; recovery of competence	
§ 5370.	Conservatorship proceeding for one charged with offense	
§ 5370.1.	Appointment of counsel for private conservator with insufficient funds	
§ 5370.2.	Protection and advocacy agency; services to be provided under contract; coordination with the advocates; plan to provide patients' rights advocacy services; reviews and investigations	
§ 5371.	Conflict of interest in evaluation of conservatee; independent conduct of investigation and administration of conservatorship	
CHAPTER 4 ADMINISTRATION		336
§ 5400.	Director; administrative duties; rules and regulations	
§ 5402.	Report of operation of division	
§ 5402.2.	Master plan for utilization of state hospital facilities; levels of care	
§ 5403.	Regulations; approval by California Conference of Local Mental Health Directors	
§ 5404.	Designation of evaluation and treatment facilities; encouragement of use	
§ 5405.	Facilities licensed after January 1, 2003; criminal record checks; denial, suspension or revocation of license for certain criminal offenses; additional considerations; director review	
CHAPTER 6.2 MENTAL HEALTH ADVOCACY		338
ARTICLE 1 GENERAL PROVISIONS		338
§ 5500.	Definitions	
ARTICLE 2 PATIENTS' RIGHTS OFFICE		338
§ 5510.	Legislative findings and declarations; legislative intent	
§ 5511.	Contracts with independent persons or agencies for services in state hospitals	
§ 5512.	Training for county patients' rights advocates	
§ 5513.	Liaison between county patients' rights advocates and state department of mental health	
§ 5514.	Patients' rights subcommittee of council on mental health	
ARTICLE 3 COUNTY ADVOCATES		339
§ 5520.	Appointments or contracts for services; duties	
§ 5521.	Legal representation	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5522.	Investigations	
§ 5523.	Competency of recipients of mental health services to contract; investigations without request; agreements with clients; legal representation of recipients; cumulative remedies; investigations of past recipients' rights	
ARTICLE 4	ACCESS TO CLIENTS	340
§ 5530.	Time; appeal of denial of access; interviews; privacy of patients; educational materials and discussions	
ARTICLE 5	ACCESS TO RECORDS	340
§ 5540.	Confidential information	
§ 5541.	Authorization; revocation; inspection and copying of information and records	
§ 5542.	Inspection and copying of materials not subject to confidentiality	
§ 5543.	Communication to client concerning information contained in client records	
§ 5544.	Use and dissemination of written client information	
§ 5545.	Access to recipients for purposes of subdivision (b) of § 5520	
§ 5546.	Costs of records and materials	
ARTICLE 6	PENALTIES	340
§ 5550.	Immunity from liability; obstructing performance of advocate; discrimination or retaliation against patient or employee; client privacy; confidentiality of information	
PART 1.5	CHILDREN'S CIVIL COMMITMENT AND MENTAL HEALTH TREATMENT ACT OF 1988	341
CHAPTER 1	GENERAL PROVISIONS	341
§ 5585.	Title	
§ 5585.10.	Legislative intent and purposes	
§ 5585.20.	Application of part; conflicting provisions	
§ 5585.21.	Regulations	
§ 5585.22.	Educational materials and training curriculum	
§ 5585.25.	Gravely disabled minor	
CHAPTER 2	CIVIL COMMITMENT OF MINORS	341
§ 5585.50.	Custody and placement of minor in facility; notice to parent or legal guardian; probable cause application; civil liability for intentional false statement	
§ 5585.52.	Clinical evaluation; parent or legal guardian involvement	
§ 5585.53.	Additional treatment; treatment plan; least restrictive placement alternative; consultation and consent; involuntary treatment	
§ 5585.55.	Involuntary treatment; confinement with adults	
§ 5585.57.	Aftercare plan	
§ 5585.58.	Funding	
§ 5585.59.	Legally emancipated minors	
§ 5587.	Metropolitan State Hospital Youth Program; admission policy; documentation of prior placement attempts	
PART 2	THE BRONZAN-MCCORQUODALE ACT	342
CHAPTER 1	GENERAL PROVISIONS	342
§ 5600.	Title and purpose	
§ 5600.1.	Mental health system; mission statement	
§ 5600.2.	Health care systems; target populations; factors	
§ 5600.3.	Mental health account funds; populations targeted for use	
§ 5600.35.	Statewide access to services	
§ 5600.4.	Treatment options	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5600.5.	Children and youth in target population; minimum array of services	
§ 5600.6.	Adults in target population; minimum array of services	
§ 5600.7.	Older adults in target population; minimum array of services	
§ 5600.8.	Allocation of funds	
§ 5600.9.	Planning and delivery of services	
§ 5601.	Definitions	
§ 5602.	Establishment of community mental health service; provision of services	
§ 5604.	Mental health board	
§ 5604.1.	Meetings of advisory boards	
§ 5604.2.	Powers and duties of mental health board	
§ 5604.3.	Expenses of board members	
§ 5604.5.	Bylaws	
§ 5607.	Administration; qualifications of administrators	
§ 5608.	Powers and duties of administrator	
§ 5610.	Data and reporting requirements; client-based information system	
§ 5611.	Performance Outcome Committee	
§ 5612.	Evaluation of mental health services; performance measures	
§ 5613.	Performance measure reports	
§ 5614.	Protocol for meeting statutory and regulatory requirements	
§ 5614.5.	Indicators of access and quality	
§ 5615.	Maintenance of existing programs; state aid	
§ 5616.	Authority of city to own, finance and operate mental health program	
§ 5618.	Provision of information to clients, family members, and caregivers	
§ 5622.	Aftercare plan; requirements; refusal	
§ 5623.5.	Access to prescribed medication	
CHAPTER 2 THE COUNTY PERFORMANCE CONTRACT		349
§ 5650.	County mental health services contract; proposal	
§ 5650.5.	References to Short-Doyle plan	
§ 5651.	Performance contract; contents	
§ 5651.2.	Simplified performance contract; mandatory and discretionary provisions	
§ 5652.5.	Utilization of available resources and facilities	
§ 5652.7.	Time allowed for review	
§ 5653.	Use of appropriate local public and private organizations and state agencies, and public and private funds	
§ 5653.1.	Contracts with public or private agencies	
§ 5654.	Use of Short-Doyle funds; mental problems of minors; consultation and training	
§ 5655.	Cooperation with county officials; failure to comply with code or regulation; order to show cause; sanctions	
§ 5657.	Contractual suppliers of mental health services; invoices; penalty for nonpayment by county	
§ 5664.	Reports and data	
§ 5664.5.	Data to establish definitions and reporting time increments; duration of section	
§ 5665.	Changes in allocation of funds among mental health services; documentation of cost-effectiveness	
§ 5666.	Compliance review of performance contract	
§ 5667.	Community mental health centers	
CHAPTER 2.5 PROGRAM INITIATIVES		351
ARTICLE 1 COMMUNITY RESIDENTIAL TREATMENT SYSTEM		351
§ 5670.	Legislative intent; residential treatment programs	
§ 5670.5.	Residential treatment system; program criteria	
§ 5671.	Residential treatment system; program elements	
§ 5671.5.	Programs to serve children and adolescents; legislative intent; criteria	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5672.	Programs to serve children and adolescents; program types; criteria; licensure requirements	
§ 5673.	Napa and Riverside counties; community care facilities; pilot program; funds	
§ 5675.	Mental health rehabilitation center; pilot project	
§ 5675.1.	Civil sanctions	
§ 5675.2.	Application or renewal of license to operate mental health rehabilitation center; fees; amount; expiration date; deposit of fees	
§ 5676.	Evaluation and monitoring plan	
§ 5676.5.	Use of funds; required contents of applications	
ARTICLE 2	COMMUNITY SUPPORT SYSTEM FOR HOMELESS MENTALLY DISABLED PERSONS	355
§ 5680.	Establishment of support system	
§ 5681.	Legislative intent	
§ 5682.	Goal of community support system	
§ 5683.	Function of support system; services available	
§ 5683.5.	Temporary funds to homeless clients; amount; recoupment of payments	
§ 5685.	County provision of services; contracts with public or private agencies	
§ 5685.5.	Finances of mentally ill persons; management services by public guardian; records	
§ 5686.	Management of SSI/SSP funds	
§ 5686.5.	Use of existing resources; management by client of personal funds	
§ 5688.6.	Unexpended funds; transfers and appropriations	
ARTICLE 2.5	OLDER ADULTS SYSTEM OF CARE MENTAL HEALTH DEMONSTRATION PROJECT	356
§ 5689.	Older Adults System of Care Demonstration Project	
§ 5689.1.	Steering committee	
§ 5689.2.	Target population	
§ 5689.3.	Proposals and grants	
§ 5689.4.	Mental Health and Aging Advisory Coalition	
§ 5689.5.	Identification of collaborative efforts; project goals and outcome measurements	
§ 5689.6.	Common data elements	
§ 5689.7.	Evaluations	
§ 5689.8.	Project reports and recommendations	
§ 5689.9.	Additional progress reports	
ARTICLE 3	COMMUNITY VOCATIONAL REHABILITATION SYSTEM	357
§ 5690.	Legislative intent; establishment of services	
§ 5691.	Implementation; funds	
§ 5692.	Implementation and coordination of interagency agreements; role of department of mental health	
§ 5692.5.	Programs; types	
§ 5693.	Development principles	
§ 5693.2.	Advisory group	
§ 5693.5.	Technical assistance	
ARTICLE 4	SELF-HELP	359
§ 5694.	Self-help groups; peer counseling; individualized service plans	
§ 5694.5.	Funding of self-help projects	
ARTICLE 5	POLICY INITIATIVES FOR SERIOUSLY EMOTIONALLY DISTURBED CHILDREN	359
§ 5694.7.	Notice of specific case to director; assignment of case for review and assessment to private provider; determination; time	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 6	REGIONAL FACILITIES FOR SERIOUSLY EMOTIONALLY DISTURBED WARDS	359
§ 5695.	Legislative findings and declaration	
§ 5695.2.	Regional facilities; maximum term of commitment	
§ 5695.5.	Board of directors	
§ 5695.7.	Composition of board; administration of facility	
§ 5696.	Admission criteria	
§ 5696.2.	Wards not eligible for admission	
§ 5696.5.	Program standards, policies and procedures; required elements	
§ 5696.7.	Admission referrals; screening	
§ 5697.	Public education programs	
§ 5697.2.	Reports	
§ 5697.5.	Rules and regulations	
ARTICLE 7	SYSTEM OF CARE FOR SERIOUSLY EMOTIONALLY DISTURBED CHILDREN AND YOUTH	361
§ 5698.	Legislative intent; principles for system of care	
CHAPTER 2.7	CASE MANAGEMENT FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCE	361
§ 5699.	Legislative findings and declaration	
§ 5699.1.	Definitions; construction of chapter	
§ 5699.2.	Seriously emotionally disturbed children; case management services	
§ 5699.3.	Individual treatment plan	
§ 5699.4.	Case management services	
§ 5699.5.	Use of state funds	
CHAPTER 3	FINANCIAL PROVISIONS	362
§ 5700.	Legislative findings; funding sources for mental health services	
§ 5701.	Equity of funding; requirements; exemptions; allocations	
§ 5701.1.	Use of funds for development of innovative programs	
§ 5701.2.	Transfer of funds or state hospital beds; allocation of state mental health moneys; records	
§ 5701.3.	Psychotherapy and other mental health services; funding responsibilities	
§ 5701.4.	Reimbursement of costs	
§ 5701.5.	Funding of city-operated programs	
§ 5701.6.	Funding of county programs	
§ 5702.	Maintenance of effort; definition	
§ 5703.	Additional appropriations	
§ 5704.	Deposit of funds; dedicated purposes	
§ 5704.5.	Children's services; special consideration	
§ 5704.6.	Allocation of funds for new or expanded programs; services to persons under 18	
§ 5705.	Negotiated net amounts or rates; use as cost of services; conditions	
§ 5706.	Performance contracts; exemption from public contract provisions	
§ 5707.	Expenditure of funds designated for local mental health services	
§ 5708.	Funding during transitional period	
§ 5709.	Fees for services	
§ 5710.	Charges for patient care; persons liable for charges; fee schedule	
§ 5711.	Federal audit exceptions; offset of county allocation	
§ 5712.	Cost of services; allocation between state and county funds	
§ 5713.	Advances for funding of services; payment method	
§ 5714.	Legal proceedings involving mentally disordered persons; payment of costs	
§ 5715.	Unexpended funds; retention by county	
§ 5716.	Contracts with providers; negotiated rates; reimbursements	
§ 5717.	Expenditures eligible for funding; audits; repayments	
§ 5718.	Services to persons eligible for Medi-Cal	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5719.	Admission to facility; certification of eligibility for assistance	
§ 5719.5.	Capitated, integrated service system of Medi-Cal mental health managed care; field tests	
§ 5720.	Reimbursement for services; eligible Medi-Cal persons; negotiated rate agreements	
§ 5721.	Fees paid by private resources; retention of unanticipated funds	
§ 5722.	Investigations and audits of claims	
§ 5723.	License requirements for reimbursement	
§ 5723.5.	Back claims; federal reimbursement	
§ 5724.	Ratesetting system; development; implementation	
CHAPTER 3.5 MENTAL HEALTH MASTER PLAN DEVELOPMENT ACT		368
§ 5730.	Short title	
§ 5731.	Legislative findings	
§ 5732.	Development and implementation of master plan; California planning council; duties; membership; time for completion	
§ 5733.	Elements of plan; analysis	
CHAPTER 4 OPERATION AND ADMINISTRATION		368
§ 5750.	Administrative duties; standards; rules and regulations; exception for psychiatric health facilities	
§ 5750.1.	Application of department or county standards, rules or policy	
§ 5751.	Directors of local health services; qualifications; regulations	
§ 5751.1.	Director of local mental health services; regulations	
§ 5751.2.	Professional licensure of personnel; exemption; waiver	
§ 5751.7.	Minors; admission with adults discouraged	
§ 5755.1.	State mental health plan; submission for review and recommendations	
§ 5768.	New programs; development and implementation; review; licensure requirements; program application and plan; approval; placement of license in suspense; evaluation of programs	
§ 5768.5.	Discharge of patient; distribution of written aftercare plan; components	
§ 5770.	Provision of services by department	
§ 5770.5.	Development and support of local programs assisting self-help groups	
§ 5771.	California Mental Health Planning Council; purpose; membership; officers; terms; modification in structure of council	
§ 5771.1.	Members of Mental Health Planning Council	
§ 5771.3.	Mental health planning council; staff from state mental health department	
§ 5771.5.	Executive officer for mental health planning council; appointment; other staff	
§ 5772.	Powers and duties of mental health planning council	
§ 5772.5.	Planning council; duties; legislative intent	
PART 2.5 MENTAL HEALTH MANAGED CARE CONTRACTS		372
§ 5775.	Implementation of managed mental health care for Medi-Cal beneficiaries through fee-for-service or capitated rate contracts with mental health plans	
§ 5776.	Department and mental health plan contractors; compliance with federal and state laws and regulations; intent	
§ 5777.	Mental health care contractor; financial risk for services; plan and county service protocols; plan duties; contract renewal and termination; oversight; obligations	
§ 5777.5.	Mental health plans providing Medi-Cal services; memorandum of understanding	
§ 5777.6.	Local mental health plans; establishment of procedure for access to outpatient services	
§ 5778.	Mental health services; fee-for-service payment system; procedures	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5779.	Mental health services; capitated rate payment system; procedures	
§ 5780.	Implementation of part; inoperative date	
§ 5781.	Mental health services contract for Medi-Cal beneficiaries; per diem reimbursement rates; definitions	
PART 3	ADULT AND OLDER ADULT MENTAL HEALTH SYSTEM OF CARE ACT	377
§ 5800.	Short title	
ARTICLE 1	LEGISLATIVE FINDINGS AND INTENT	377
§ 5801.	Care system for older adults with severe mental illness; benefits; philosophy	
§ 5802.	Need for mental health system of care; models; goals	
ARTICLE 2	ESTABLISHING NEW COUNTY SYSTEMS OF CARE	378
§ 5803.	Request for proposals to develop system of care programs; ratings; funding of existing integrated service agencies or countywide systems of care	
§ 5804.	Integrated service agency component or countywide or regional system of care; inclusion of funding for development in performance contracts	
§ 5805.	Use of available state and matching funds	
§ 5806.	Service standards	
§ 5807.	Interagency collaboration; development; activities	
§ 5808.	Reimbursement; sources	
§ 5809.	Client and cost outcome and interagency collaboration goals	
ARTICLE 3	STATE DEPARTMENT OF MENTAL HEALTH REQUIREMENTS	380
§ 5810.	County contracts	
§ 5811.	Assistance provided by state department of mental health	
§ 5811.2.	Mental health care providers with geriatric training and experience to oversee, monitor and provide advice to participating counties	
ARTICLE 4	FINANCIAL PARTICIPATION	380
§ 5813.	Voluntary nature of participation	
§ 5813.5.	Distribution of funds; services to adults and seniors; funding; planning for services	
§ 5814.	Contingent implementation; funds availability; grant awards; demonstration programs; law governing contracts; local matching funds	
§ 5814.5.	Appropriations schedule; county eligibility	
PART 3.1	HUMAN RESOURCES, EDUCATION, AND TRAINING PROGRAMS	382
§ 5820.	Intent of part; program to remedy shortage of qualified individuals to address severe mental illnesses; county needs assessment; statewide need and five-year plans	
§ 5821.	California Mental Health Planning Council; education and training policy development and oversight; staffing	
§ 5822.	Five-year plans; occupational shortages; forgiveness and scholarship programs; stipend program; regional partnership programs; recruitment of students	
PART 3.2	INNOVATIVE PROGRAMS	383
§ 5830.	Development of innovative program plans; purposes; funding	
PART 3.6	PREVENTION AND EARLY INTERVENTION PROGRAMS	383
§ 5840.	Program establishment; components; mental health services provided; preventive strategies; future revision of program elements	
§ 5840.2.	County mental health programs; contracts	
PART 3.7	OVERSIGHT AND ACCOUNTABILITY	384
§ 5845.	Establishment of Mental Health Services Oversight and Accountability Commission; member compensation; term; authority	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5846.	Annual review and approval of county mental health program expenditures; technical assistance	
§ 5847.	Integrated Plans for Prevention, Innovation and System of Care Services ¹	
§ 5848.	Development of prevention and early intervention plans with local stakeholders; public hearing on draft plan; content requirements; review of performance	
PART 4	THE CHILDREN’S MENTAL HEALTH SERVICES ACT	385
CHAPTER 1	INTERAGENCY SYSTEM OF CARE	385
ARTICLE 1	LEGISLATIVE FINDINGS AND INTENT	385
§ 5850.	Short title	
§ 5851.	Legislative findings, declarations and intent	
§ 5851.5.	System of care county	
ARTICLE 2	COUNTY SYSTEMS OF CARE AND THEIR MISSION	386
§ 5852.	Interagency system of care; establishment	
§ 5852.5.	Counties awarded funds; review; estimated cost avoidance	
§ 5853.	County participation	
§ 5854.	Contracts with counties with approved programs	
§ 5855.	Development of comprehensive, interagency systems of care; essential values	
§ 5855.5.	Existing projects; continuation of funding; evaluation measures; annual performance contracts	
ARTICLE 3	TARGET CLIENT POPULATION	387
§ 5856.	Seriously emotionally disturbed children	
§ 5856.2.	Eligible children; young children and adolescents in transition	
ARTICLE 4	COUNTY SELECTION	387
§ 5857.	Request for applications for funding; submission of applications; review; letters of intent	
§ 5859.	Deficient applications; compliance and approval assistance	
§ 5860.	Final selection; use of funds; annual performance contracts	
ARTICLE 5	COUNTY PROPOSAL COMPONENTS	388
§ 5861.	Submission of proposals	
§ 5862.	Development of program proposals; components	
§ 5863.	Components of program proposals	
§ 5864.	Baseline data	
ARTICLE 6	COUNTY SYSTEM OF CARE REQUIREMENTS	389
§ 5865.	Services to be in place upon funding by state	
§ 5865.1.	Systems of care serving children 15 to 21 years old; required structures and services	
§ 5865.3.	Systems of care serving children 0 to 5 years old; required structures and services	
§ 5866.	Interagency collaboration; county interagency policy and planning committees; interagency case management council; interagency agreements or memoranda of understanding	
§ 5867.	Maintenance of effort; reduction of existing services	
§ 5867.5.	Mental health assessment and treatment services; children in group care	
ARTICLE 7	COUNTY SERVICE STANDARDS	390
§ 5868.	Establishment of standards; components; responsibilities of case managers	
ARTICLE 8	STATE DEPARTMENT OF MENTAL HEALTH REQUIREMENTS	390
§ 5869.	Services and contracts to be provided to participating counties	
§ 5870.	Advisory group; members; functions	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 9	REQUIREMENT TO COLLECT REIMBURSEMENTS	391
§ 5872.	Sources of reimbursements	
ARTICLE 10	APPLICATION FOR STATE REGULATION WAIVERS	391
§ 5875.	Development of administrative waiver process	
§ 5877.	Waiver requests; statement of reason	
§ 5878.	Waiver of regulatory obstacles to integration of public responsibilities and resources; federal waivers and changes to support interagency collaboration and coordination	
ARTICLE 11	SERVICES FOR CHILDREN WITH SEVERE MENTAL ILLNESS	391
§ 5878.1.	Intent of article; services to severely mentally ill children; consent of parent or guardian	
§ 5878.2.	Severely mentally ill children; defined	
§ 5878.3.	Services provided where other mental health or entitlement programs are inadequate; funding	
CHAPTER 2	SYSTEM EVALUATION	392
§ 5879.	Legislative intent	
§ 5880.	System performance goals; definition and establishment; negotiation of expected levels of attainment	
§ 5881.	Conduct of evaluation	
§ 5882.	Assignment of resources; cooperation with department	
§ 5883.	Access to relevant data; facilitation; funding and resources; duties of department	
PART 4.5	MENTAL HEALTH SERVICES FUND	393
§ 5890.	Mental Health Services Fund created; purposes; construction and application to health care service plans of insurance policies	
§ 5891.	Use of funds; expansion of mental health services	
§ 5892.	Allocation of funds available in the Mental Health Services Fund	
§ 5893.	Funds in excess of allocation; investment	
§ 5894.	Distribution of funds in event of restructuring of division	
§ 5895.	Distribution of funds in event of repeal or modification of division	
§ 5897.	Implementation of mental health services; contracts with county mental health programs; compliance with performance contracts	
§ 5898.	Development and adoption of regulations	
PART 5	INSTITUTIONS FOR MENTAL DISEASE	395
CHAPTER 1	GENERAL PROVISIONS	395
ARTICLE 1	LEGISLATIVE FINDINGS AND INTENT	395
§ 5900.	Purpose of part	
§ 5901.	Issues to be resolved	
ARTICLE 2	INTERIM CONTRACTING MECHANISM	395
§ 5902.	County administration of institutions; transitional provisions	
§ 5903.	SSI/SSP benefits; collection from clients and client payees by institution for mental disease providers; remission to department of collected funds until June 30, 1992; provider not deemed authorized representative; proration of benefits by days spent at facility; availability to Legislature of collections data	
§ 5903.5.	Liquidation of uncollectible accounts receivable	
ARTICLE 3	PROCEDURES FOR THE TRANSFER OF RESPONSIBILITY FROM THE STATE TO THE COUNTIES	397
§ 5907.	Uniform contract format	
§ 5908.	Services purchased by county; notice of modification of quantity to be purchased	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 5909.	Special treatment programs; authority of director	
§ 5910.	Intercounty agreements with facilities	
§ 5911.	Expansion of services	
§ 5912.	Reimbursement for basic services; rates	
DIVISION 6	ADMISSIONS AND JUDICIAL COMMITMENTS	397
PART 1	ADMISSIONS	397
CHAPTER 1	VOLUNTARY ADMISSIONS TO MENTAL HOSPITALS AND INSTITUTIONS	397
§ 6000.	Requirements for admission	
§ 6000.5.	Admission of developmentally disabled person to hospital for developmentally disabled	
§ 6001.	Admissions to neuropsychiatric institutes	
§ 6002.	Persons eligible for admission; application; record; departure	
§ 6002.10.	Inpatient psychiatric treatment; admission procedures for minors; criteria	
§ 6002.15.	Explanation of treatment to parent or guardian; notification to minor of minor's rights	
§ 6002.20.	Minor's request for independent clinical review; notification of patients' rights advocate; advocate's responsibilities	
§ 6002.25.	Independent clinical review; neutral licensed psychiatrist; list of reviewers	
§ 6002.30.	Independent clinical review; information to be considered; timing and procedure	
§ 6002.35.	Record of review; decision	
§ 6002.40.	Treatment costs covered by private insurer or county; legislative intent; monitoring compliance; treatment guidelines	
§ 6003.	County psychiatric hospital	
§ 6003.1.	County psychiatric health facility	
§ 6003.2.	County psychiatric hospital interchangeable with psychiatric health facility	
§ 6004.	County psychiatric hospital; persons eligible for admission	
§ 6005.	Departure from county psychiatric hospital	
§ 6006.	Rights of voluntary patients	
§ 6007.	Detention in private institution after July 1, 1969; time; evaluation; release or further proceedings	
§ 6008.	Admission of conservatee to United States government hospital; departure	
PART 2	JUDICIAL COMMITMENTS	401
CHAPTER 1	DEFINITIONS, CONSTRUCTION AND STANDARD FORMS	401
§ 6250.	Persons subject to judicial commitment; effect on other laws; liberal construction	
§ 6251.	Petition; form	
§ 6252.	Order for examination or detention; form	
§ 6253.	Certificate of medical examiners; form	
§ 6254.	Order for care, hospitalization or commitment; form	
CHAPTER 2	COMMITMENT CLASSIFICATION	403
§ 6300.	Definitions	
§ 6300.1.	Treatment by prayer	
§ 6300.2.	Patient rights	
§ 6301.	Application of article	
§ 6302.	Certification for hearing and examination after conviction	
§ 6303.	Service of notice; form	
§ 6304.	Certification; form	
§ 6305.	Advice as to allegation and rights; time and place of hearing; notice; attorney	
§ 6306.	Probation officer; reference; report	
§ 6307.	Appointment of psychologists or psychiatrists; contest of commitment	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 6308.	Psychiatrists and psychologists; report and testimony	
§ 6309.	Examination of psychiatrists or psychologists	
§ 6310.	Fees of psychiatrists or psychologists	
§ 6311.	Other expert evidence	
§ 6312.	Examination of other witnesses	
§ 6313.	Attendance of witnesses; fees and expenses	
§ 6314.	Presence at hearing; attorney; public defender	
§ 6315.	Hearing; findings; return to original court	
§ 6316.	Return to criminal court for further disposition or commitment to hospital or other facility for care and treatment	
§ 6316.1.	Maximum term of commitment; notice; hearing; statement	
§ 6316.2.	Commitment beyond maximum term; procedure	
§ 6318.	Demand for trial; date; finding or verdict	
§ 6319.	Stay of proceedings	
§ 6320.	Duties of district attorney	
§ 6321.	Trial; verdict; court order	
§ 6322.	Execution of writ; fees; expenses	
§ 6323.	Delivery of documents	
§ 6324.	Applicable laws	
§ 6325.	Certification as to recovery; return to court; probation; credit for hospitalization time	
§ 6325.1.	Authority to place committed person on outpatient status	
§ 6325.2.	Motion for new examination; time; hearing; court order	
§ 6325.3.	Authority to place committed person on outpatient status	
§ 6325.5.	Certification of no recovery and continued menace; release upon probation or other court disposition	
§ 6327.	Persons committed for indeterminate period; report; return to court; hearing; recommitment; subsequent hearings; recovery and return to criminal court	
§ 6328.	Privileges of persons confined	
§ 6329.	District attorney; appearance for people	
§ 6330.	Escape; punishment	
§ 6331.	Operative effect of article; application to persons already committed; amendment of section	
§ 6332.	Outpatient status; actual custody and credit toward maximum term of commitment or term of extended commitment; time spent in locked facilities	
ARTICLE 2 MENTALLY RETARDED PERSONS		410
§ 6500.	Commitment of persons dangerous to self or others; expiration of commitment order; counsel; duty of district attorney or county counsel	
§ 6501.	Persons charged with violent felonies; placement	
§ 6502.	Petition	
§ 6503.	Time and place of hearing	
§ 6504.	Notice of hearing	
§ 6504.5.	Examination; report	
§ 6505.	Order for apprehension	
§ 6506.	Custody, care and treatment pending hearing; order of court; expiration	
§ 6507.	Witnesses	
§ 6508.	Fees and expenses of psychologist, physician and witnesses	
§ 6509.	Order of commitment; least restrictive placement; change of placement; hearings	
§ 6510.	Payment of expenses on dismissal of petition	
§ 6511.	Contriving to have person adjudged mentally retarded	
§ 6512.	Juvenile court proceedings	
§ 6513.	Payment of costs of judicial proceedings	

CALIFORNIA STATUTES

TABLE OF CONTENTS

ARTICLE 3	JUVENILE COURT WARDS	413
§ 6550.	Doubt as to mental health or condition of minor; procedure under this article	
§ 6551.	Commitment to county facility	
§ 6552.	Voluntary application for mental health services; authority; reception at facility; return to court	
ARTICLE 4	SEXUALLY VIOLENT PREDATORS	414
§ 6600.	Definitions	
§ 6600.05.	Mental health facility; Atascadero State Hospital; alternate facilities; permanent facility	
§ 6600.1.	Victims under the age of 14; sexually violent offense; substantial sexual conduct	
§ 6601.	Persons in custody; determination as potential sexually violent predator; prerelease evaluations; petition for commitment; time limitations exclusion	
§ 6601.3.	Custodial evaluation; maximum time	
§ 6601.5.	Review of petition for likelihood of sexually violent predatory criminal behavior upon release	
§ 6602.	Probable cause hearing; right to counsel; custody requirements; continuances	
§ 6602.5.	State hospital placement; probable cause determination; identification of persons who have not had a probable cause hearing	
§ 6603.	Trial by jury; right to counsel; examination by expert or professional; access to records; unanimous verdict	
§ 6604.	Burden of proof; commitment for treatment; term; facilities	
§ 6604.1.	Commitment term	
§ 6605.	Post-commitment examinations; petition for conditional release; annual notice; hearing to show cause; burden of proof; term of commitment; request for review by Department of Mental Health	
§ 6606.	Program of treatment; standards; protocol; model; patients who chose not to participate in a specific course of offender treatment	
§ 6607.	Determination that future predatory acts unlikely; report and recommendation of conditional release; judicial hearing	
§ 6608.	Petition for conditional release and discharge; concurrence of director; judicial hearing; subsequent petitions; forensic conditional release program; unconditional discharge; burden of proof	
§ 6608.5.	Conditional release; placement in county of domicile unless extraordinary circumstances require placement outside county; considerations for recommending a specific placement for community outpatient treatment; placement restrictions with respect to schools	
§ 6608.7.	Interagency agreements or contracts for services related to supervision or monitoring of sexually violent predators conditionally released into community	
§ 6609.	Conditional release program; requests for information on participants; time for compliance	
§ 6609.1.	Community outpatient treatment or petition for release or unconditional discharge of sexually violent predators; notice requirements; agency comments and statements; other notice requirements concerning recommitment recommendations or review of commitment status; parole arrangement; time limits; subsequent notice	
§ 6609.2.	Notice of recommendation regarding disposition of sexually violent predator; immunity	
§ 6609.3.	Notice to witnesses, victims, or next of kin	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 3	EXPENSE OF DETENTION OR PROCEEDINGS CONCERNING COMMITMENTS	421
ARTICLE 4	MENTALLY RETARDED PERSONS	421
§ 6715.	Order for payment of expenses	
§ 6716.	Authority to discharge probation officer from further accountability	
§ 6717.	Cost of determining fitness of person for admission to home	
§ 6718.	Claims for amounts due from county to state	
CHAPTER 4	EXECUTION OF COMMITMENT ORDERS	422
ARTICLE 4	MENTALLY RETARDED PERSONS	422
§ 6740.	Delivery of order, findings, conclusions and data	
§ 6741.	Persons authorized to execute order; compensation	
ARTICLE 5	MEDICAL EXAMINERS	422
§ 6750.	Medical examiners; certification; number; revocation of certificate	
§ 6751.	Medical examiners; record of certificates	
CHAPTER 6	COUNSELORS IN MENTAL HEALTH	422
§ 6775.	Creation of office; nomination and appointment	
§ 6776.	Number appointed; compensation	
§ 6777.	Term of office; full-time employment	
§ 6778.	Services; powers of peace officer	
§ 6779.	References to psychopathic probation officer; probation of incompetent persons	
CHAPTER 7	DUTIES OF PEACE OFFICERS	422
§ 6800.	Poor and indigent committed persons; care of patients; effect of delivery to hospital	
CHAPTER 8	MENTALLY DISORDERED PERSONS CHARGED WITH CRIME	422
§ 6825.	Procedures; law governing	
DIVISION 7	MENTAL INSTITUTIONS	423
CHAPTER 1	COUNTY PSYCHIATRIC HOSPITALS	423
§ 7100.	Facilities and hospital service; approval of department	
§ 7101.	County psychiatric hospital	
§ 7102.	Persons eligible for care and treatment; involuntary patients	
§ 7103.	Persons eligible for care and treatment; voluntary patients and conservatees	
§ 7104.	Reliance on faith healing; exemption from medical or psychiatric treatment	
§ 7105.	Discharge of patient	
§ 7106.	Charges; reimbursement of county	
§ 7107.	Immunity from criminal liability	
CHAPTER 2	STATE HOSPITALS FOR THE MENTALLY DISORDERED	423
ARTICLE 1	ESTABLISHMENT AND GENERAL GOVERNMENT	423
§ 7200.	State hospitals	
§ 7200.05.	Metropolitan State Hospital; patient placement under Penal Code provisions; legislative intent	
§ 7200.06.	Napa State Hospital; percentage of available licensed beds; security	
§ 7200.5.	Camarillo State Hospital; Norbert I. Rieger Children's Treatment Center	
§ 7201.	Uniform rules and regulations; laws applicable	
§ 7202.	Napa State Hospital; proposed policy or structural modifications; consultation with task force	
§ 7203.	Rights of way for road purposes; Patton state hospital	
§ 7204.	Patients placed pursuant to penal code; grounds privileges and passes; accompaniment off-grounds	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 7205.	Sale of certain property of Fairview state hospital to City of Costa Mesa	
§ 7206.	Rights of way for road purposes; Patton state hospital	
§ 7207.	Rights of way; Langley Porter Neuropsychiatric Institute	
ARTICLE 2	ADMISSION	425
§ 7225.	Patients	
§ 7226.	Soldiers or sailors	
§ 7227.	Mentally disordered prisoners	
§ 7228.	Treatment of patients in secure setting; evaluation; place	
§ 7230.	High security risk patients; treatment facilities	
§ 7231.	Patient escapes or walkaways; notification of law enforcement agencies; policies and procedures	
§ 7232.	Patients placed pursuant to penal code; identifiable clothing; administrative directive	
ARTICLE 3	PATIENTS' CARE	425
§ 7250.	Habeas corpus	
§ 7251.	Examinations of patient; reports on death or discharge	
§ 7252.	Donations of blood	
§ 7253.	Articles of handiwork	
§ 7254.	Criminal defendants, convicts and mentally disordered sex offenders; identifiable clothing	
ARTICLE 4	PROPERTY AND SUPPORT OF PATIENTS	426
§ 7275.	Liability for care	
§ 7275.1.	Delegation to counties of responsibility for payment of care; policies and procedures	
§ 7276.	Charge for care and treatment; determination; reduction or cancellation of amounts due; death, leaves of absence, or discharge of patient; delegated responsibilities	
§ 7277.	Collection of costs and charges	
§ 7277.1.	Claim for costs and charges	
§ 7278.	Investigation to determine existence of property, guardian and relatives	
§ 7279.	Payment for care	
§ 7280.	Payments for future personal needs	
§ 7281.	Patients' personal deposit fund	
§ 7282.	Action to enforce payment	
§ 7282.1.	Actions by individuals; notice to director; lien	
§ 7283.	Disposition of money collected for transportation costs; use of estimates or formula	
§ 7284.	Powers of department	
§ 7285.	Investment of funds	
§ 7286.	Common trusts	
§ 7287.	Death of patient; disposition of remains; payment from guardianship or conservatorship; final account	
§ 7288.	Disposition of patient's personal property	
§ 7289.	Collection of funds due client	
§ 7289.1.	Amount owed to client; cost-of-living adjustments	
§ 7290.	Cost of care	
§ 7291.	County payments for care of defective or psychopathic delinquents	
§ 7292.	Cost of care	
§ 7293.	Claims against county	
§ 7294.	Parole, leave of absence and discharge	
ARTICLE 5	TRANSFER OF PATIENTS	430
§ 7300.	Policy; transfer to different institution; inmate of correctional school; expense	
§ 7301.	Transfer to institution under jurisdiction of department of corrections	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 7302.	Transfer to like institutions; request of relatives or friends; expense	
§ 7303.	New commitment on transfer absolving county from liability	
§ 7304.	Issuance of new commitment imposing liability on county	
ARTICLE 6	ESCAPES	431
§ 7325.	Apprehension and return; peace officer; notification; information	
§ 7325.5.	Information essential in aiding apprehension of escapee; release	
§ 7326.	Assisting escape; offense	
§ 7327.	Officers' fees and expenses for delivery of patient	
§ 7328.	Offense by patient; commitment to another institution; subsequent cost of care	
§ 7329.	Arrest of escapee; hearing; release; commitment	
ARTICLE 7	LEAVE OF ABSENCE, DISCHARGE, AND RESTORATION TO CAPACITY OF PERSONS OTHER THAN THE MENTALLY DISORDERED CRIMINALS	432
§ 7350.	Patients held in criminal proceeding	
§ 7351.	Parole defined; recall of patient on leave of absence; certificate of leave or discharge	
§ 7352.	Grant of leave; state hospital for the mentally disordered; continued services to patients	
§ 7352.5.	Grant of leave; state hospital for the developmentally disabled; continued services to patients	
§ 7353.	Medicare beneficiaries; payment of third-party health coverage	
§ 7354.	Grant of care in private facilities; mentally disordered persons; payments by state; conditions	
§ 7354.5.	Grant of care in private facilities; developmentally disabled persons; payments by state; conditions	
§ 7355.	Clothing and money	
§ 7356.	Liability for expense of keeping patients on leave of absence	
§ 7357.	Discharge of recovered patients	
§ 7359.	Discharge of unrecovered patient	
§ 7360.	Discharge of indigent patient	
§ 7361.	Court order for discharge of unrecovered patient	
§ 7362.	Discharge of patients by medical superintendent; return to county of residence; recommitment	
ARTICLE 8	DISPOSITION OF MENTALLY DISORDERED CRIMINALS UPON RECOVERY	434
§ 7375.	Progress reports; return to prison	
CHAPTER 3	STATE HOSPITALS FOR THE DEVELOPMENTALLY DISABLED	434
§ 7500.	Hospitals established; construction of terms	
§ 7501.	Ventura County; children's crisis care center; sale or lease of property within boundaries of Camarillo State Hospital; children eligible for placement	
§ 7501.5.	Ventura County; residential care program; lease to county of property within boundaries of Camarillo State Hospital; sublease; termination; persons eligible for placement	
§ 7502.	Porterville state hospital	
§ 7503.	Object of hospital	
§ 7504.	Applicable laws	
§ 7506.	Primary purpose of hospital	
§ 7507.	Patients admitted	
§ 7509.	Instructions and forms	
§ 7513.	Costs of care and treatment; persons responsible for payment	
§ 7513.1.	Costs of care and treatment; determination; reduction, cancellation, or remittance upon proof of inability to pay; refunds upon death, etc.; claims against estate	

CALIFORNIA STATUTES

TABLE OF CONTENTS

§ 7513.2.	Costs of care and treatment; collection responsibilities; developmentally disabled persons eligible for deportation	
§ 7514.	Transfer of patients	
§ 7515.	Peremptory discharge of patients	
§ 7516.	Life patients in Sonoma state hospital	
§ 7518.	Medical, dental and surgical treatment; consent	
DIVISION 8 MISCELLANEOUS		437
CHAPTER 2 RESEARCH CONCERNING SEXUAL DEVIATION AND SEX CRIMES		437
§ 8050.	Scope	
§ 8051.	Contracts with regents	
§ 8052.	Cooperation	
§ 8053.	Gifts and grants	
CHAPTER 3 FIREARMS		437
§ 8100.	Possession, purchase or receipt by person receiving inpatient treatment for a mental disorder or who has communicated a threat of physical violence to a psychotherapist; violation	
§ 8101.	Supplying, selling, giving, or allowing possession or control of firearms or deadly weapons; persons described in § 8100 or 8103; punishment; deadly weapon definition	
§ 8102.	Confiscation and custody of firearms or other deadly weapons; procedure for return of weapon; notice	
§ 8103.	Particular persons; weapons restrictions; violations; punishment	
§ 8103.	Particular persons; weapons restrictions; violations; punishment	
§ 8104.	Records necessary to identify persons coming within §§ 8100 or 8103; availability to Department of Justice	
§ 8105.	Submission of information identifying certain persons receiving inpatient treatment for mental disorders; reports by psychotherapists identifying certain persons who have communicated threats of physical violence; confidentiality requirements	
§ 8108.	Civil liability of health professionals; immunity	
DIVISION 9 PUBLIC SOCIAL SERVICES		444
PART 3 AID AND MEDICAL ASSISTANCE		444
CHAPTER 7 BASIC HEALTH CARE		444
ARTICLE 4 THE MEDI-CAL BENEFITS PROGRAM		444
§ 14133.225.	Prohibition on providing or paying for erectile dysfunction drugs or therapies for registered sex offenders	
CHAPTER 8.8 MEDI-CAL MANAGEMENT: ALTERNATIVE METHODS		444
ARTICLE 4 ACUTE PSYCHIATRIC HEALTH FACILITY ALLOCATIONS		444
§ 14640.	Allocations of funds to certain counties for mental health services to Medi-Cal eligible persons over 20 years of age; restrictions	
ARTICLE 5 MENTAL HEALTH MANAGED CARE		444
§ 14680.	Mental health plans; findings, declarations and intent	
§ 14681.	Medi-Cal managed care contracts; content	
§ 14682.	Designated state agency; mental health plans for Medi-Cal beneficiaries; development and implementation; steering committee	
§ 14683.	Content of plans	
§ 14684.	Guidelines	
§ 14684.1.	Establishment of process for second level treatment authorization request appeals to review and resolve disputes between mental health plans and hospitals; review fees	
§ 14685.	Right of first refusal	

CALIFORNIA STATUTES

TABLE OF CONTENTS

CHAPTER 11	ELDER ABUSE AND DEPENDENT ADULT CIVIL PROTECTION ACT	445
ARTICLE 3	MANDATORY AND NONMANDATORY REPORTS OF ABUSE	445
§ 15630.	Mandated reporters; known or suspected abuse; telephone reports; failure to report; impeding or inhibiting report; penalties	
§ 15630.1.	Mandated reporter of suspected financial abuse of an elder or dependent adult; definitions and reporting requirements	
PART 4	SERVICES FOR THE CARE OF CHILDREN	448
CHAPTER 1	FOSTER CARE PLACEMENT	448
§ 16001.9.	Rights of children in foster care	
PART 5	COUNTY AID AND RELIEF TO INDIGENTS	448
CHAPTER 6	STATE AND LOCAL FUND ALLOCATIONS	448
ARTICLE 1	FUNDING ALLOCATIONS	449
§ 17600.	Local Revenue Fund; accounts; appropriations	
§ 17600.10.	Local health and welfare trust funds; accounts	
§ 17600.15.	Allocation of deposits in Local Revenue Fund	
§ 17600.20.	Local health and welfare trust fund; accounts; reallocation of money	
ARTICLE 2	MENTAL HEALTH ALLOCATIONS	450
§ 17601.	Schedule of allocations; reimbursements	
§ 17601.05.	Mental Health Facilities Fund; accounts	
§ 17601.10.	Reimbursement delays; loans from general fund	
ARTICLE 5	VEHICLE LICENSE FEE ALLOCATIONS	452
§ 17604.	Deposit of revenues into vehicle license fee account; schedule of allocations	
§ 17604.05.	Deposits into specified accounts on county's request	
ARTICLE 6	GROWTH ACCOUNT ALLOCATIONS DEPOSITS	453
§ 17605.	Caseload subaccount; allocations; determination of caseload	
§ 17605.05.	Base restoration subaccount; allocation of unexpended and unreserved funds	
§ 17605.07.	County medical services subaccounts	
§ 17605.08.	Special equity subaccount	
§ 17605.10.	Deposit of remaining funds in specified subaccount; schedule	
ARTICLE 7	ALLOCATION OF FUNDS FROM THE SALES TAX GROWTH ACCOUNT	455
§ 17606.05.	Counties with poverty–population shortfall; schedule of allocations from specific subaccounts; calculations	
§ 17606.10.	Schedule of allocations; general growth subaccount	
§ 17606.15.	Local health and welfare trust fund accounts; allocation schedules for specified counties	
§ 17606.20.	Vehicle license fee growth account; allocations to local governments	
ARTICLE 9	COUNTY MATCHING FUND REQUIREMENTS	459
§ 17608.05.	County mental health account; schedule for matching fund deposits; reductions; elections not to apply funds for programs	
§ 17608.10.	County account; schedule for matching fund deposits	
§ 17608.15.	Growth account funds; matching fund requirements	
ARTICLE 10	EXPENDITURE LIMITATIONS AND REPORTS	460
§ 17609.	Purposes of funds	
§ 17609.01.	Exclusive purpose of funds	
§ 17609.05.	Periodic reports; verification	
§ 17609.09.	Remittance advice upon distributions	
§ 17609.10.	Administrative costs	

CALIFORNIA STATUTES

TABLE OF CONTENTS

PART 6 MISCELLANEOUS PROVISIONS	460
CHAPTER 6 SERIOUSLY EMOTIONALLY DISTURBED CHILDREN: 24-HOUR OUT-OF-HOME CARE	460
§ 18350. Payments for twenty-four-hour out-of-home care; limitations	
§ 18351. Issuance of warrants; authorization documents; reports	
§ 18352. Agreements with other local agencies	
§ 18353. Identification of facilities; placements	
§ 18354. Review of determination of eligibility for payment	
§ 18355. Funding	
§ 18355.5. Reimbursement to county from multiple sources; restrictions upon	
§ 18356. Out-of-state placements; reports	
CHAPTER 12.8 INTERAGENCY CHILDREN'S SERVICES ACT	461
ARTICLE 1 GENERAL PROVISION AND DEFINITIONS	461
§ 18986. Short title	
§ 18986.1. Legislative findings and declarations	
§ 18986.2. Legislative intent; goal of collaborative delivery system of services	
§ 18986.3. Definitions	
ARTICLE 2 COUNTY INTERAGENCY COLLABORATION	462
§ 18986.10. Establishment of coordination council	
§ 18986.11. Membership of coordination council	
§ 18986.12. Meetings of coordination council	
§ 18986.13. Existing interagency children's services coordinating body; designation as coordination council; modification	
§ 18986.14. Duties of coordination council	
§ 18986.15. Program by counties for phasing in coordinated children's services system; plan for coordinated children's services; proposal for development of system	
ARTICLE 3 WAIVERS	463
§ 18986.20. Requests for waiver; state regulations hindering coordination of children's services; negotiated contracts; reallocation of existing resources	
§ 18986.21. Grant of waivers; contents of requests	
§ 18986.22. Negotiated contracts; award; definition; contents	
§ 18986.23. Grant of waivers and negotiated contracts; entities with authority	
§ 18986.24. Notice to legislature	
ARTICLE 4 EVALUATION	464
§ 18986.30. Review and report to legislature; annual progress of councils; programs deemed successful	
CHAPTER 12.9 INTEGRATED CHILDREN'S SERVICES PROGRAMS	464
§ 18986.40. Integrated children's services programs; children's multidisciplinary services team; crisis intervention services	
§ 18986.46. Disclosure of information and records; children's multidisciplinary services teams; construction of section	
CHAPTER 12.86 CHILDRENS SERVICES PROGRAM DEVELOPMENT	466
§ 18987.6. Legislative intent	
§ 18987.61. Performance agreements with private, nonprofit agencies	
§ 18987.62. Waiver of regulations governing foster care payments or operation of group homes; conditions	
CHAPTER 12.95 SAN MATEO COUNTY CONSOLIDATED HUMAN SERVICES AGENCY	466
§ 18989. Waiver of existing state regulations; request by established agency; requirements	
§ 18989.1. Request for waiver; contents	
§ 18989.2. Request for waiver; approval; requirements	